

NON-  
BIDDING

PROPOSAL

TRANSPORTATION CABINET  
Department of Highways  
Frankfort, Kentucky 40622

PROPOSAL NO. \_\_\_\_\_  
PROJECT CODE NO. 02-0731

LETTING OF DECEMBER 13, 2002  
Sealed Bids will be received in the  
Division of Contract Procurement and/or  
the Auditorium located on the 1<sup>st</sup> Floor  
of the State Office Building until  
10:00 A.M., EST, on DECEMBER 13, 2002.  
Bids will be publicly opened and read  
at 10:00 A.M., EASTERN STANDARD TIME.

PROJECT IDENTIFICATION AND DESCRIPTION:

ADAIR COUNTY, FD39 001 7415

The Lindsey Wilson Street (CR 7415) from the Intersection with KY 55 extending easterly to  
the intersection with KY 206, a distance of 0.344 mile.

Grade, Drain and Asphalt Surface.

Status Report Item No. 8-129.00.

(8)

GRAPHIC COORDINATES:

LATITUDE - 37° 05' NORTH

LONGITUDE - 85° 20' WEST

COMPLETION DATE ESTABLISHED FOR PROJECT: 60 WORKING DAYS

LIQUIDATED DAMAGES: SEE STANDARD SPECIFICATIONS

REQUIRED BID PROPOSAL GUARANTY: Not less than 5% of the total bid.

(Check guaranty submitted: Cashier's Check ☐ Certified Check ☐ Bid Bond ☐)

BID BONDS WHEN SUBMITTED WILL BE RETAINED WITH THE PROPOSAL.  
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PART

- I SCOPE OF WORK
- II SPECIAL PROVISIONS APPLICABLE TO PROJECT
- III EMPLOYMENT, WAGE AND RECORD REQUIREMENTS
- IV INSURANCE
- V STATEMENT OF INCOMPLETED WORK AND SUBCONTRACTED WORK
- VI BID ITEMS
- VII CERTIFICATION

BID..... ☐ PROPOSAL ISSUED TO: \_\_\_\_\_

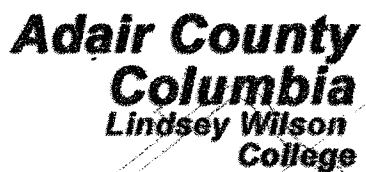
SPECIMEN..... ☐ \_\_\_\_\_  
Address City State Zip

PART I

SCOPE OF WORK

1. Project Detail

- |                                                                                 |          |
|---------------------------------------------------------------------------------|----------|
| a. See Bridge Plans                                                             |          |
| b. See Sketch                                                                   | Attached |
| c. Special Notes Applicable to Project                                          | Attached |
| d. Supplemental Specifications                                                  | Attached |
| e. Special Notes and Drawings for ADAIR County                                  | Attached |
| f. Special Note for Utility Clearance                                           | Attached |
| g. Department of the Army Corps of Engineers Nationwide<br>Permit Authorization | Attached |
| h. Special Note for Detectable Warnings for Sidewalk Ramps (5-29-02)            | Attached |
| i. Miscellaneous Traffic Control Devices (6-14-02)                              | Attached |
| j. Miscellaneous Traffic Control Devices (6-14-02)                              | Attached |
| k. Lane Closure 2-Lane Highway Case I (6-14-02)                                 | Attached |
| l. Lane Closure 2-Lane Highway Case II (6-14-02)                                | Attached |
| m. Post Splicing Detail (6-14-02)                                               | Attached |



	PROPOSAL BY	ADAIR COUNTY, KENTUCKY	
	KENTUCKY	LINDSEY WILSON STREET	
	TRANSPORTATION CABINET	FD39 001 7415	ITEM NO. 8-129.00
DEPARTMENT OF HIGHWAYS			
		124 LIN.FT. ( 0.0235 MILES)	
		LENGTH OF PROJECT:	

## SPECIAL NOTES APPLICABLE TO PROJECT

**2000 SPECIFICATIONS**

Any reference in the plans or in the proposal to the *Standard Specifications for Road and Bridge Construction, Edition of 1998*, and Standard Drawings, Edition of 1998 are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2000*, and Standard Drawings, Edition of 2000.

**2001 SUPPLEMENTAL SPECIFICATIONS**

The *2001 Supplemental Specifications* to the 2000 Standard Specifications for Road and Bridge Construction shall apply to this project.

**PROPOSAL ADDENDA**

All Addenda to this proposal must be incorporated into the proposal when the bid is submitted to the Kentucky Department of Highways. Failure to use the correct and most recent bid sheet(s) may result in the bid being rejected.

**BID SUBMITTAL**

Bidder must use the Department's Highway Bid Program available on the internet web site of Department of Highways, Division of Contract Procurement. ([www.kytc.state.ky.us/contract](http://www.kytc.state.ky.us/contract))

The Bidder must download the bid items created from the web site to prepare a bid proposal for submission to the Department. The Bidder must insert the completed bid item sheets printed from the Program into the bidder's proposal and submit with the disk created by said program.

**JOINT VENTURE BIDDING**

Joint Venture bidding is permissible. However, both companies **MUST** purchase a bidding proposal. Either proposal may be submitted but must contain the company names and signatures of both parties where required. A joint bid bond of 5% may be submitted for both companies or each company may submit a separate bond of 5%.

**UNDERGROUND FACILITY DAMAGE PROTECTION**

The contractor is advised that the Underground Facility Damage Protection Act of 1994, became law January 1, 1995. It is the contractor's responsibility to determine the impact of the act regarding this project, and take all steps necessary to be in compliance with the provisions of the act.

**ASPHALT BASE PRICE**

The Asphalt Base Price shall be \$165.00 (English) as applicable in Section 109.07 of the *2000 Standard Specifications*.

**INCIDENTAL SURFACING**

The quantities established in the proposal include estimated quantities required for resurfacing or surfacing mailbox turnouts, farm field entrances, residential and commercial entrances, and road and street approaches. These items are to be paved to the limits as shown on Standard Drawing RPM 110 or to the limits as directed by the Engineer. In the event signal detectors are present in the intersecting streets or roads, the paving of the crossroads shall be to the right of way limit or back of the signal detector, whichever is the farthest back of the mainline. These areas are to be surfaced or resurfaced as directed by the Engineer and no direct payment will be allowed for placing and compacting.

**OPTION B**

The Contractor is advised that the compaction of asphalt mixtures furnished to this project will be accepted by **OPTION B** in accordance with Section 402 and Section 403 of the *2000 Standard Specification*.

**Supplemental Specifications to The Standard Specifications  
for Road and Bridge Construction, 2000 Edition  
(Effective with the October 25, 2002 Letting)**

**Unless stated otherwise, all revisions are to the Standard Specifications for Road and Bridge Construction.**

<b>PUBLICATION:</b>	2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction.
<b>SUBSECTION:</b>	104.02.02 Overrun and Underrun Formulas.
<b>REVISION:</b>	Void the revision.
<b>SUBSECTION:</b>	104.02.02 Overrun and Underrun Formulas.
<b>REVISION:</b>	Replace the fifth paragraph with the following:  For the excessive underrun and overrun quantities, the Department will adjust the payment according to the appropriate following formula:
<b>SUBSECTION:</b>	104.02.02 Overrun and Underrun Formulas.
<b>NUMBER:</b>	3)
<b>REVISION:</b>	Replace the threshold value of 20 percent with 30 percent.
<b>SUBSECTION:</b>	102.07.01 General.
<b>REVISION:</b>	Replace the first sentence with the following:  Submit the Bid Proposal on the forms furnished by the Department including the Highway Bid Program bid item sheets and disk created from the Department's internet web site.
<b>SUBSECTION:</b>	102.07.02 Computer Bidding.
<b>REVISION:</b>	Replace the subsection with the following:  Subsequent to ordering a Bid Proposal for a specific project, use the Department's Highway Bid Program on the internet web site of the Department of Highways, Division of Contract Procurement. Download the bid item quantities from the Department's web site to prepare a Bid Proposal for submission to the Department. Insert the completed bid item sheets printed from the Highway Bid Program into the Proposal and submit along with the disk created by said program. In case of a dispute, the Bid Proposal and bid item sheets created by the Highway Bid Program take precedence over any bid submittal. Furthermore the Department takes no responsibility for loss, damage of disks or the compatibility with the bidder's computer equipment or software.
<b>SUBSECTION:</b>	102.08 IRREGULAR BID PROPOSALS.
<b>REVISION:</b>	Add the following to the first set of items:  4) Fails to submit a disk created from the Highway Bid Program
<b>SUBSECTION:</b>	102.08 IRREGULAR BID PROPOSALS.
<b>REVISION:</b>	Replace 1) of the second set of items with the following:  1) when the Bid Proposal is on a form other than that furnished by the Department or printed from other than the Highway Bid Program , or when the form is altered or any part is detached.
<b>SUBSECTION:</b>	112.03.01 General Traffic Control.
<b>PART:</b>	I) Temporary Traffic Signals.
<b>REVISION:</b>	Replace the MUTCD reference "Section 4B" with "Chapter 4D"
<b>SUBSECTION:</b>	212.03.03 Permanent Seeding and Protection.
<b>PART:</b>	A) Seed Mixtures for Permanent Seeding.
<b>REVISION:</b>	Replace with the following:  A) Seed Mixture for Permanent Seeding. Use seed Mixture No. I or as the Contract specifies.  Mixture No. I:  75% Kentucky 31 Fescue (Festuca arundinacea) 10% Red Top (Agrostis alba) 5% White Dutch Clover (Trifolium repens) 10% Rygrass, perennial (Lolium perenne)

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<b>SUBSECTION:</b>	212.03.03 Permanent Seeding and Protection.
<b>PART:</b>	C) Crown Vetch.
<b>REVISION:</b>	Replace the first sentence with the following:  Sow crown vetch seed on all areas having a slope 3:1 or steeper and consisting of soil or mixtures of broken rock and soil.
<b>SUBSECTION:</b>	212.03.03 Permanent Seeding and Protection.
<b>PART:</b>	E) Erosion Control Blanket.
<b>REVISION:</b>	Replace the first sentence with the following:  Install erosion control blankets in ditches, except those to be paved or rock lined, to a flow depth of 1.5 feet.
<b>SUBSECTION:</b>	402.03.02 Acceptance.
<b>PART:</b>	C) Setup.
<b>REVISION:</b>	Add the following after the second sentence:  For mixtures with a total-project quantity between 500 and 1,000 tons, perform a minimum of one process control test for AC, AV, and VMA, and report the results to the Engineer.
<b>SUBSECTION:</b>	402.03.03 Verification.
<b>REVISION:</b>	Replace the first two sentences with the following:  For volumetric properties, the Department will perform a minimum of one verification test for AC, AV, and VMA for each lot according to the corresponding procedures as given in Subsection 402.03.02. For specialty mixtures, the Department will perform one AC and one gradation determination per lot according to the corresponding procedures as given in Subsection 402.03.02. However, Department personnel will not perform AC determinations according to KM 64-405.
<b>SUBSECTION:</b>	403.02.06 Transport Equipment.
<b>REVISION:</b>	Add the following after the first sentence:  Do not load trucks that are contaminated with an unapproved release agent. When such contamination is identified after loading, reject the load. In either case, remove the truck and respective driver from the project for the duration of the project.
<b>SUBSECTION:</b>	403.03.03 Preparation of Mixture.
<b>PART:</b>	A) Mixture Composition.
<b>REVISION:</b>	Replace the second sentence with the following:  Conform to the gradation requirements (control points) of AASHTO MP2 for the Superpave mixture type the Contract specifies.
<b>SUBSECTION:</b>	403.03.03 Preparation of Mixture.
<b>PART:</b>	C) Mix Design Criteria.
<b>REVISION:</b>	Replace the first sentence with the following:  Conform to the gradation requirements (control points) of AASHTO MP2 for the Superpave mixture.
<b>SUBSECTION:</b>	403.03.03 Preparation of Mixture.
<b>PART:</b>	C) Mix Design Criteria.
<b>NUMBER:</b>	2) Selection of Optimum AC.
<b>REVISION:</b>	Add the following:  Ensure the optimum AC is a minimum of 5.0 percent by weight of the total mixture for all 0.5-inch nominal surface mixtures and 5.3 percent by weight of the total mixture for all 0.38-inch nominal surface mixtures.
<b>SECTION:</b>	403.03.06 Thickness Tolerance.
<b>TABLE:</b>	Nominal Maximum Size of Mixture vs. Thickness Range
<b>REVISION:</b>	Delete

**Supplemental Specifications to The Standard Specifications  
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<b>SUBSECTION:</b>	403.03.09 Leveling and Wedging, and Scratch Course.																			
<b>PART:</b>	A) Leveling and Wedging.																			
<b>REVISION:</b>	Replace the first sentence with the following:  Conform to the gradation requirements (control points) for base, binder, or surface as applicable.																			
<b>SUBSECTION:</b>	403.03.09 Leveling and Wedging, and Scratch Course.																			
<b>PART:</b>	B) Scratch Course.																			
<b>REVISION:</b>	Replace the second sentence with the following:  Conform to the gradation requirements (control points) for base, binder, or surface as the Engineer directs.																			
<b>SECTION:</b>	404 OPEN-GRADED FRICTION COURSE																			
<b>TABLE:</b>	LOT PAY ADJUSTMENT SCHEDULE FOR SPECIALTY MIXTURES																			
<b>REVISION:</b>	Replace the table with the table on the last page of this supplement.																			
<b>SUBSECTION:</b>	409.02 MATERIALS AND EQUIPMENT.																			
<b>REVISION:</b>	Replace "KM 64-427" with the following:  the guidelines in Subsection 409.03.02																			
<b>SUBSECTION:</b>	409.03.01 Restrictions.																			
<b>REVISION:</b>	Add the following sentence:  When the mixture's bid item specifies PG 76-22, limit RAP content to 20 percent or less.																			
<b>PUBLICATION:</b>	2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction.																			
<b>SUBSECTION:</b>	409.03.02 Preparation of Mixture.																			
<b>PART:</b>	A) Mix Requirements.																			
<b>REVISION:</b>	Void the Revision and replace with the following:  Conform to the Contract requirements for each mixture produced using RAP. If mixtures produced using RAP do not conform to the requirements for that mixture, complete the project using all virgin materials at no additional expense to the Department. Conform to the following table to select the appropriate grade of virgin asphalt binder to blend with the RAP:																			
<table><tr><th rowspan="2">Mixture's Bid Item</th><th colspan="3">Appropriate Virgin Asphalt Binder</th></tr><tr><th>0-20% RAP</th><th>21-30% RAP</th><th>&gt;30% RAP</th></tr><tr><td>PG 76-22</td><td>PG 76-22</td><td>-</td><td>-</td></tr><tr><td>PG 70-22</td><td>PG 70-22</td><td>PG 64-22</td><td>*</td></tr><tr><td>PG 64-22</td><td>PG 64-22</td><td>PG 64-22</td><td>*</td></tr></table> <p style="text-align: center;">* Select according to KM 64-427</p>		Mixture's Bid Item	Appropriate Virgin Asphalt Binder			0-20% RAP	21-30% RAP	>30% RAP	PG 76-22	PG 76-22	-	-	PG 70-22	PG 70-22	PG 64-22	*	PG 64-22	PG 64-22	PG 64-22	*
Mixture's Bid Item	Appropriate Virgin Asphalt Binder																			
	0-20% RAP	21-30% RAP	>30% RAP																	
PG 76-22	PG 76-22	-	-																	
PG 70-22	PG 70-22	PG 64-22	*																	
PG 64-22	PG 64-22	PG 64-22	*																	
<b>SUBSECTION:</b>	611.03.02 Precast Unit Construction.																			
<b>REVISION:</b>	Replace the first sentence with the following:  Construct units according to ASTM C 1433 with the following exceptions and additions:																			
<b>PUBLICATION:</b>	2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction.																			
<b>SUBSECTION:</b>	701.03.05 Joints.																			
<b>PART:</b>	B) Corrugated Metal Pipe.																			
<b>REVISION:</b>	Void the Revision and replace with the following:  Construct joints using a band with annular corrugations and a bolt, bar and strap connection. Use a minimum nominal band width of 12 inches for all pipe diameters 54 inches and smaller. Use a two-piece band with a minimum nominal width of 20 inches for all pipe diameters greater than 54 inches. Manufacture the band from the same base materials as the pipe. The pipe bands may be up to two gauges lighter than the pipe it is joining, with a minimum gauge thickness of 16. The Department may allow dimple band connections for field cut pipe. Install the connecting bands according to the manufacturer's written recommendations.																			



**Supplemental Specifications to The Standard Specifications  
for Road and Bridge Construction, 2000 Edition**  
(Effective with the October 25, 2002 Letting)

<b>SUBSECTION:</b>	710.02 MATERIALS.
<b>REVISION:</b>	Add the following Subsection:  710.02.15 High Density Polyethylene (HDPE) Adjusting Rings. Conform to Section 846.
<b>SUBSECTION:</b>	710.03.01 Newly Constructed Small Drainage Structures.
<b>PART:</b>	A) General.
<b>REVISION:</b>	Replace the last sentence of the sixth paragraph with the following:  Use precast concrete, precast concrete pipe sections, cast-in-place, brick, or HDPE adjusting rings for adjustment of existing manholes according to the Standard Specifications.
<b>SUBSECTION:</b>	710.03.03 Adjusted Small Drainage Structures.
<b>REVISION:</b>	Add the following sentence to the end of the first paragraph:  For HDPE adjusting rings, install and seal according to the manufacturer's recommendations.
<b>SUBSECTION:</b>	713.03 CONSTRUCTION.
<b>REVISION:</b>	Replace the MUTCD references to "Part III" with "Part 3"
<b>SUBSECTION:</b>	714.03 CONSTRUCTION.
<b>REVISION:</b>	Replace the MUTCD references to "Part III" with "Part 3" and figure references to "3-11 and 3-12" with "3B-8 and 3B-9"
<b>SUBSECTION:</b>	714.03.01 Layout.
<b>REVISION:</b>	Replace the MUTCD reference to "Part III" with "Part 3"
<b>PUBLICATION:</b>	2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction.
<b>SUBSECTION:</b>	714.05 PAYMENT.
<b>REVISION:</b>	Replace with the following:  The Department will make payment upon completion of the work. If after the proving period the markings do not meet minimum retroreflectivity requirements, the Department will adjust the payment or require corrective work according to the following:
<b>SUBSECTION:</b>	718.01 DESCRIPTION.
<b>REVISION:</b>	Replace the second sentence with the following:  See Section 3C.01 of the MUTCD for a general description.
<b>SUBSECTION:</b>	807.02.03 Joint Sealer for Ridged Pipe.
<b>PART:</b>	B) Rubber Gaskets.
<b>REVISION:</b>	Replace with the following:  B) Butyl Rubber Sealants. Furnish butyl rubber sealants conforming to the materials, manufacture, and physical requirements for sealants in AASHTO M 198, Section 6.2. Use only products from the Department's List of Approved Materials.
<b>SUBSECTION:</b>	807.02.03 Joint Sealer for Ridged Pipe.
<b>PART:</b>	C) Flexible Plastic Gaskets.
<b>REVISION:</b>	Replace with the following:  C) Rubber Gaskets. Furnish rubber gaskets conforming to the materials, manufacture, and physical requirements for gaskets in AASHTO M 315. Use only products from the Department's List of Approved Materials.

**Supplemental Specifications to The Standard Specifications  
for Road and Bridge Construction, 2000 Edition  
(Effective with the October 25, 2002 Letting)**

**SECTION:** 846 HIGH DENSITY POLYETHYLENE (HDPE) ADJUSTING RINGS  
**REVISION:** Add the following New Section:

**SECTION 846 HIGH DENSITY POLYETHYLENE (HDPE) ADJUSTING RINGS**

846.01 RESIN. Use a recycled polyethylene plastic or virgin resin producing a molded part meeting the following requirements:

Melt Flow Index (ASTM D 1238)	4.0-10.0 g/10min
Density (ASTM D 792)	0.941-0.965 g/cm <sup>3</sup>
Tensile (ASTM D 638)	2000-5000 lb/in <sup>2</sup>
ESCR (ASTM D 1693)	Condition C

846.02 LOADING. Ensure the adjustment rings meet or exceed the loading requirements of AASHTO'S Standard Specification for HS-25 wheel loading for Highway Bridges.

**SECTION:** 827.04 PERMANENT SEED.  
**REVISION:** Replace with the following:

827.04 PERMANENT SEED. Conform to the requirements outlined in the "Kentucky Seed Law and Provisions for Seed Certification in Kentucky" and the "Regulations under the Kentucky Seed Law", with following exceptions:

1. Obtain seed only through registered dealers that are permitted for labeling of seed.
2. Ensure all deliveries/shipments of premixed seed are accompanied with a master blend sheet.
3. The Department may sample the seed at the job site at any time.
4. Ensure all bags and containers have an acceptable seed tag attached.

Do not use seed (grasses, native grasses and legumes) if the weed seed is over 2%, total germination (including hard seed) is less than 60%, if the seed test date is over 9 months old exclusive of the month tested, or if the limits of noxious weed seed is exceeded.

Ensure that noxious weed seeds contained in any seed or seed mixture does not exceed the maximum permitted rate of occurrence per pound.

<u>Name of Kind</u>	<u>(per pound)*</u>	<u>Max. No. Seeds</u>
Balloon Vine (Cardiospermum Halicacabum)	0	
Purple Moonflower (Ipomoea turbinata)	0	
Canada Thistle (Cirsium Arvense)	0	
Johnsongrass (Sorghum Halepense and Sorghum Alnum and perennial rhizomatous derivatives of these species)	0	
Quackgrass (Elytrigia Repens)	0	
Annual Bluegrass (Poa Annua)	256	
Buckhorn Plantain (Plantago lanceolata)	304	
Corncockle (Agrostemma Githago)	192	
Dodder (Cuscuta spp.)	192	
Giant Foxtail (Setaria Faberii)	192	
Oxeye Daisy (Chrysanthemum leucanthemum)	256	
Sorrel (Rumex Acetosella)	256	
Wild Onion and Wild Garlic (Allium spp.)	96	

\* Seed or seed mixtures that contain in excess of 480 total noxious seeds per pound is prohibited

Wildflower seed shall not be planted until approved by the MCL.

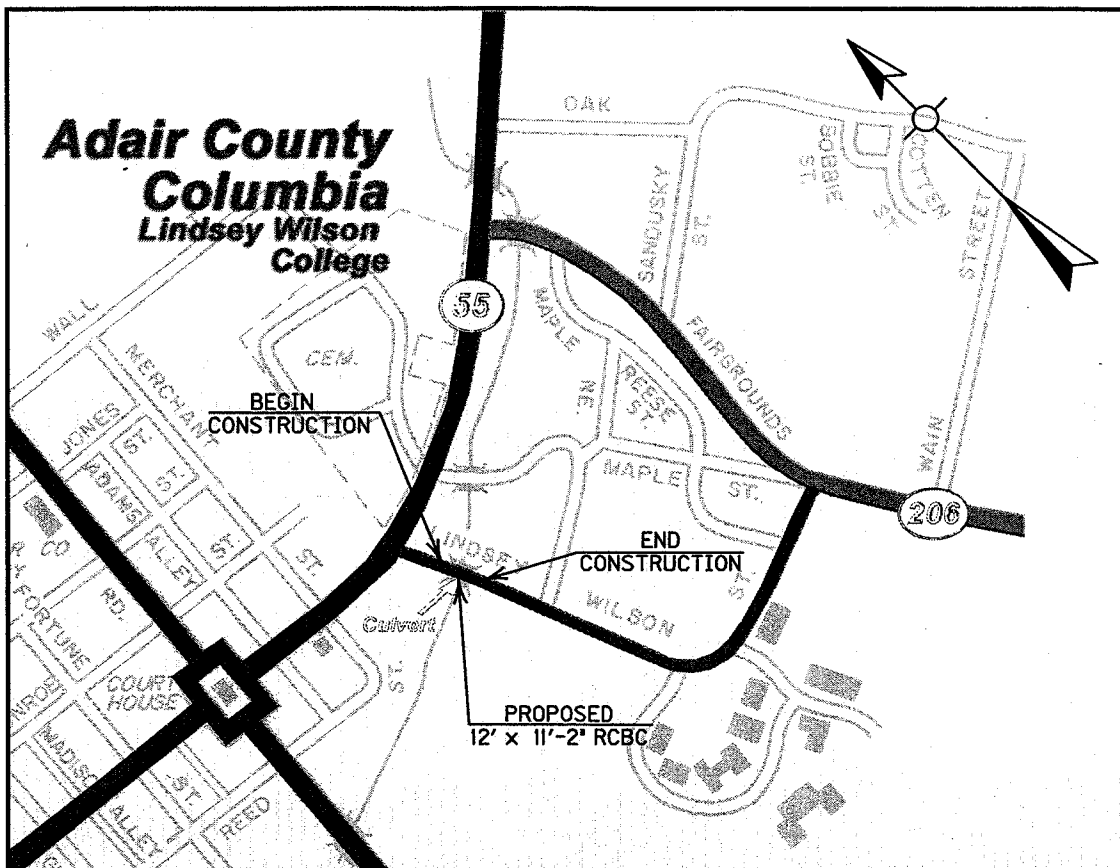
**Supplemental Specifications to The Standard Specifications  
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<b>LOT PAY ADJUSTMENT SCHEDULE FOR SPECIALTY MIXTURES (TEST DEVIATION FROM JMF)</b>		
	<b>Pay Value</b>	<b>Deviation From JMF (%)</b>
Asphalt Binder Content	1.00	0.0-0.5
	0.98	0.6
	0.95	---
	0.90	0.7
	0.85	0.8
	0.75	≥ 0.9
1 1/2 inch Sieve	1.00	0-13
	0.98	14
	0.95	15-16
	0.90	17-20
	0.85	21-23
	0.75	≥ 24
1 inch, 3/4 inch, and 1/2 inch Sieves	1.00	0-9
	0.98	10
	0.95	11-12
	0.90	13-14
	0.85	15-16
	0.75	≥ 17
3/8 inch, No. 4, No. 8, No. 16, and No. 30 Sieves	1.00	0-8
	0.98	9
	0.95	10
	0.90	11-12
	0.85	13-14
	0.75	≥ 15
No. 50 Sieve	1.00	0-6
	0.98	7
	0.95	8
	0.90	9
	0.85	10
	0.75	≥ 11
No. 100 Sieve	1.00	0-3
	0.98	---
	0.95	4
	0.90	5
	0.85	---
	0.75	≥ 6
No. 200 Sieve	1.00	0.0-2.0
	0.98	2.5
	0.95	3.0
	0.90	---
	0.85	3.5
	0.75	≥ 4.0
Fineness Modulus	1.00	0.0-0.30
	0.98	0.31-0.34
	0.95	0.35-0.39
	0.90	0.40-0.46
	0.85	0.47-0.55
	0.75	≥ 0.56

**Special Notes & Drawings**

**for**

**Adair County**



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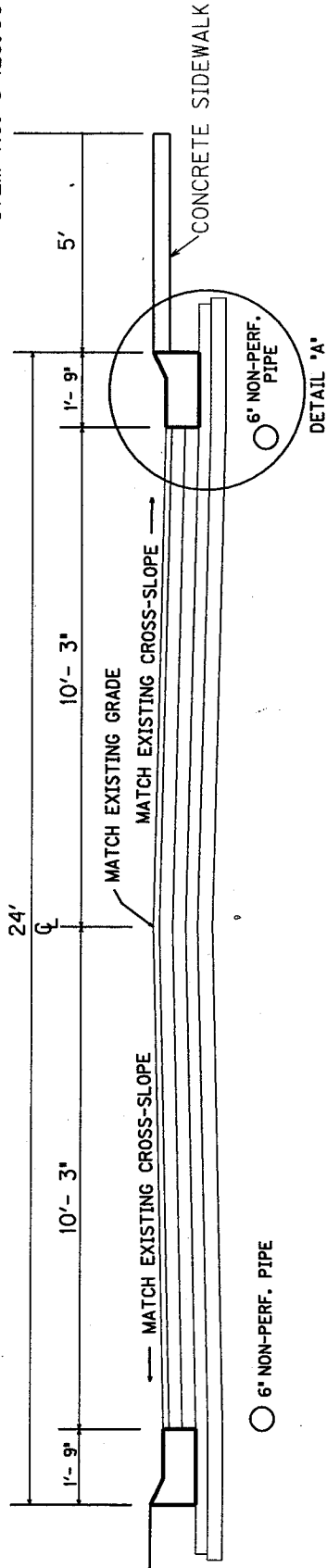
SHEET NO.	TITLE
1	LAYOUT SHEET
2	TYPICAL SECTION SHEET
2a	GENERAL SUMMARY SHEET
2b	PAVING SUMMARY SHEET
3 thru 5	GENERAL NOTES/STANDARD DRAWINGS
6	DETOUR SIGNING SHEET

	<b>PROPOSAL BY</b>  <b>KENTUCKY</b>  <b>TRANSPORTATION CABINET</b> <b>DEPARTMENT OF HIGHWAYS</b>	<b>ADAIR COUNTY, KENTUCKY</b> <b>LINDSEY WILSON STREET</b>	
		FD39 001 7415	ITEM NO. 8-129.00
		124 LIN.FT. ( 0.0235 MILES)	SHEET NO. 1 OF 6

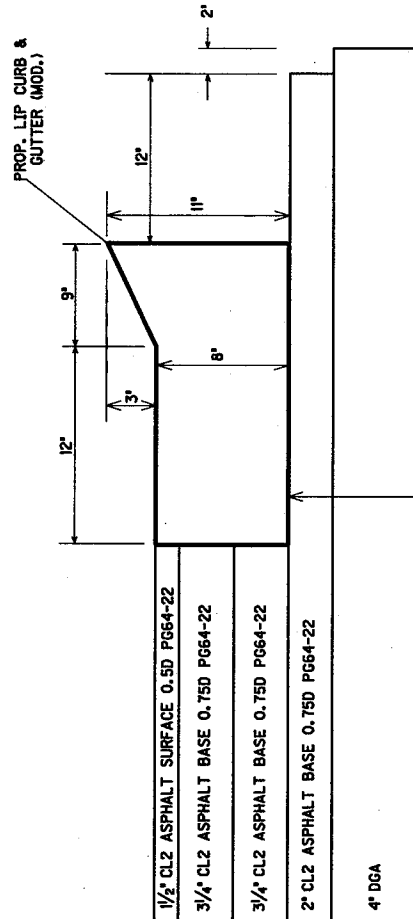
LENGTH OF PROJECT:

# LINDSEY WILSON STREET (LOOKING SOUTHEAST)

ADAIR COUNTY  
LINDSEY WILSON STREET  
ITEM NO. 8-129.00



○ 6" NON-PERF. PIPE



DETAIL "A"

- ① INSTALL 6" NON-PERFORATED PIPE ON EACH SIDE OF ROADWAY, STARTING APPROXIMATELY 15/4" BELOW PROPOSED CURB AND GUTTER, AT END OF PROJECT LIMITS, ON EACH SIDE OF ROADWAY AND EXTEND LONGITUDINALLY TO CULVERT ON A 0.50% SLOPE. TIE INTO THE SIDEWALLS OF CULVERT.

PLUG END OF PIPES FOR USE BY OTHERS.

TYPICAL SECTION

ADAIR COUNTY  
LINDSEY WILSON ST.  
CULVERT PROPOSAL  
ITEM NO. 8-129.00

[illegible]

- ① AS NECESSARY TO DRESS UP AFTER REMOVAL AND REPLACEMENT OF EXISTING CURB AND GUTTER AND SIDEWALK.
- ② AS NECESSARY TO RESTORE THE AREAS ADJACENT TO CURB AND GUTTER AND SIDEWALK.
- ③ CONSTRUCT 6" NON-PERFORATED PIPE AS SHOWN ON TYPICAL SECTION SHEET. BEGIN PIPE AT END OF CURB AND GUTTER CONSTRUCTION ON EACH SIDE OF ROADWAY AND EXTEND LONGITUDINALLY TO CULVERT ON A 0.50% SLOPE.
- TIE PROPOSED 6" NON-PERFORATED PIPE INTO THE SIDEWALLS OF PROPOSED CULVERT. ANY CORE HOLE NECESSARY TO TIE-IN STRUCTURE IS INCIDENTAL TO THIS BID ITEM.
- ④ SEE PROPOSAL SHEET NO. 6 OF 6 AND REFER TO "MUTCD, CURRENT EDITION" FOR DETAILS.
- ⑤ SEE PROPOSED STRUCTURAL PLANS FOR ADDITIONAL QUANTITIES.
- ⑥ PROPOSED CURB/GUTTER, AND SIDEWALK WORK TO BE CONSTRUCTED OF "COLORED P.C.C.". THE METHOD OF ADDING THE COLOR IS TO BE SUBMITTED TO THE ENGINEER BY THE CONTRACTOR AND APPROVED PRIOR TO PLACEMENT. A REPRESENTATIVE OF LINDSEY WILSON COLLEGE WILL DETERMINE THE COLOR, FROM A SELECTION PROVIDED BY THE CONTRACTOR, AT THE PRE-CONSTRUCTION MEETING.

"COLORED P.C.C." DOES NOT APPLY TO QUANTITIES ASSOCIATED WITH THE PROPOSED CULVERT PLANS. CULVERT SHALL BE CONSTRUCTED AS DETAILED IN STRUCTURE PLANS.

[illegible]

## PAVING SUMMARY

BID ITEM CODE	ITEM	UNIT					TOTAL PROJECT
309	CL2 ASPHALT SURFACE 0.50D PG64-22	TON					12
221	CL2 ASPHALT BASE 0.75D PG64-22	TON					70
1	DGA	TON	①				41

ALL ASPHALT MIXTURES  
SHALL BE ESTIMATED AT 110 LBS. PER  
SQ. YD. PER INCH OF DEPTH, UNLESS  
NOTED OTHERWISE.

① ESTIMATED AT 115 LBS. PER SQ. YD.  
PER INCH OF DEPTH.

② SEE DETAILS ON TYPICAL SECTION  
SHEET NO. 2 OF 5.



# GENERAL NOTES

ADAIR COUNTY  
LINDSEY WILSON ST.  
CULVERT PROPOSAL  
ITEM NO. 8-129.00

## MAINTENANCE OF TRAFFIC

DURING THE CONSTRUCTION OF THE PROPOSED STRUCTURE, LINDSEY WILSON STREET WILL BE CLOSED TO TRAFFIC IN THE VICINITY OF THE CULVERT CONSTRUCTION. TRAFFIC WANTING TO ACCESS THE PROPERTIES SOUTHEAST OF CULVERT SHALL BE ROUTED ALONG KY55 TO KY 206 TO LINDSEY WILSON STREET. ACCESS TO PROPERTIES NORTHWEST OF CULVERT SHALL REMAIN OPEN DURING CONSTRUCTION.

THE CONTRACTOR IS ADVISED THAT HE SHOULD SCHEDULE HIS WORK SUCH THAT THE ROADWAY SHALL BE REOPENED TO TRAFFIC IN THE MINIMUM AMOUNT OF TIME. THE CONTRACTOR SHALL NOTIFY THE RESIDENT ENGINEER TWO(2) WEEKS PRIOR TO ACTUAL CLOSING OF LINDSEY WILSON STREET.

TWO (2) WEEKS PRIOR TO CLOSING THE ROAD, A SIGN SHALL BE ERECTED ON EACH SIDE OF THE PROPOSED STRUCTURE ADVISING OF THE CLOSURE. THE SIGNS SHALL BE 30" x 60" AND SHALL CARRY THE MESSAGE "THIS ROAD WILL BE CLOSED ON -----".

## BEFORE YOU DIG

THE CONTRACTOR IS ADVISED TO CALL 1-800-752-6007 TOLL FREE A MINIMUM OF 24 HOURS PRIOR TO EXCAVATION FOR INFORMATION ON THE LOCATION OF EXISTING UNDERGROUND UTILITIES.

## UNDERGROUND UTILITIES

THE CONTRACTOR SHALL USE ALL POSSIBLE CARE IN HIS OPERATIONS TO AVOID DAMAGING EXISTING PIPES AND ANY EXISTING UNDERGROUND UTILITIES. HE SHALL BE RESPONSIBLE FOR ANY DAMAGES TO THE ABOVE MENTIONED ITEMS AND SHALL REPAIR OR RESTORE AT HIS OWN EXPENSE ANY ITEMS DAMAGED AS A RESULT OF HIS OPERATIONS.

## UTILITIES (HAZARDOUS OR FLAMMABLE MATERIALS)

THE CONTRACTOR IS ADVISED TO EXERCISE CAUTION IN HIS OPERATIONS IN AREAS OF A GAS LINE OR OTHER LINES CARRYING HAZARDOUS MATERIAL.

## CURB AND GUTTER

REMOVE EXISTING CURB AND GUTTER AND REPLACE WITH PROPOSED COLORED LIP CURB AND GUTTER. PROPOSED LIP CURB AND GUTTER TO HAVE A TOTAL LENGTH OF 18" FROM EDGE OF PAVEMENT TO BACK OF CURB (SEE TYPICAL SECTION). EXCEPT FOR DIMENSIONS, CURB AND GUTTER SHALL BE INSTALLED PER SECTION 506 OF THE CURRENT KYTC STANDARD SPECIFICATIONS.

# GENERAL NOTES

ADAIR COUNTY  
LINDSEY WILSON ST.  
CULVERT PROPOSAL  
ITEM NO. 8-129.00

## ASPHALT MATERIAL

6" NON-PERFORATED PIPE REQUIRED LONGITUDINALLY THROUGHOUT THE ENTIRE LENGTH OF PROJECT ALONG BOTH EDGES OF ROADWAY.

EXISTING PAVEMENT TO BE REMOVED TO A DISTANCE APPROX. 5 FEET PASSED THE WINGTIP ON EACH SIDE OF THE PROPOSED CULVERT.

ONCE EXISTING CURB AND GUTTER IS REMOVED, INSTALL 6" NON-PERFORATED PIPE PER DETAIL SHOWN IN PROPOSAL. ROADWAY PAVEMENT SHALL HAVE THE FOLLOWING SCHEDULE (SEE TYPICAL SECTION SHEET NO. 2 FOR DETAILS):

M.L. PVMT.	4" DGA
	2" COMPACTED DEPTH CL2 ASPHALT BASE 0.75D PG64-22
	3¼" COMPACTED DEPTH CL2 ASPHALT BASE 0.75D PG64-22
	3¼" COMPACTED DEPTH CL2 ASPHALT BASE 0.75D PG64-22
	1½" COMPACTED DEPTH CL2 ASPHALT SURFACE 0.50D PG64-22

## SIDEWALK

REMOVE EXISTING P.C.C. SIDEWALK AND REPLACE WITH PROPOSED 5' WIDTH COLORED P.C.C. 4"- SIDEWALK. SIDEWALK SHALL BE INSTALLED PER SECTION 505 OF THE CURRENT KYTC STANDARD SPECIFICATIONS.

## EROSION CONTROL

CONTRACTOR TO PROVIDE PROTECTION AT THE EXISTING STREAM DURING CONSTRUCTION OF THE PROPOSED CULVERT. UTILIZE PROCEDURES IN SECTIONS 212 AND 213 OF THE CURRENT KYTC STANDARD SPECIFICATIONS.

## CONSTRUCTION MATERIAL DISPOSAL

ALL CONCRETE PAVEMENT, CURB AND GUTTER, ASPHALT MATERIAL, AND SIDEWALK AND ANY OTHER MATERIAL THAT IS REQUIRED TO BE REMOVED SHALL BE DISPOSED OF OFF THE RIGHT-OF-WAY AT SITES ACQUIRED BY THE CONTRACTOR AND APPROVED BY THE ENGINEER, AT NO ADDITIONAL COST TO THE DEPARTMENT, PER SECTION 204.03.08 OF CURRENT KYTC STANDARD SPECIFICATIONS.

# GENERAL NOTES

ADAIR COUNTY  
LINDSEY WILSON ST.  
CULVERT PROPOSAL  
ITEM NO. 8-129.00

## PAVEMENT EDGE DROP-OFFS

PAVEMENT EDGES THAT TRAFFIC IS NOT EXPECTED TO CROSS, EXCEPT ACCIDENTLY, SHOULD BE TREATED AS FOLLOWS:

- \* LESS THAN TWO INCHES - NO PROTECTION REQUIRED. WARNING SIGNS SHOULD BE PLACED IN ADVANCE AND THROUGHOUT THE DROP-OFF AREA.
- \* TWO TO FOUR INCHES - PLASTIC DRUMS, VERTICAL PANELS OR BARRICADES EVERY 100 FEET ON TANGENT SECTIONS FOR SPEEDS OF 50 MPH OR GREATER. CONES MAY BE USED IN PLACE OF PLASTIC DRUMS, PANELS AND BARRICADES DURING DAYLIGHT HOURS. FOR TANGENT SECTIONS WITH SPEEDS LESS THAN 50 MPH AND FOR CURVES, DEVICES SHOULD BE PLACED EVERY 50 FEET. SPACING FOR TAPERS SHOULD BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", CURRENT EDITION.
- \* GREATER THAN FOUR INCHES - POSITIVE SEPARATION OR WEDGE WITH 3:1 OR FLATTER SLOPE NEEDED. IF THERE IS EIGHT FEET OR MORE DISTANCE BETWEEN THE EDGE OF THE PAVEMENT AND DROP-OFF DRUMS, PANEL OR BARRICADES MAY BE USED. IF CONCRETE BARRIERS ARE USED, SPECIAL REFLECTIVE DEVICES OR STEADY BURN LIGHTS SHOULD BE USED FOR OVERNIGHT INSTALLATIONS.

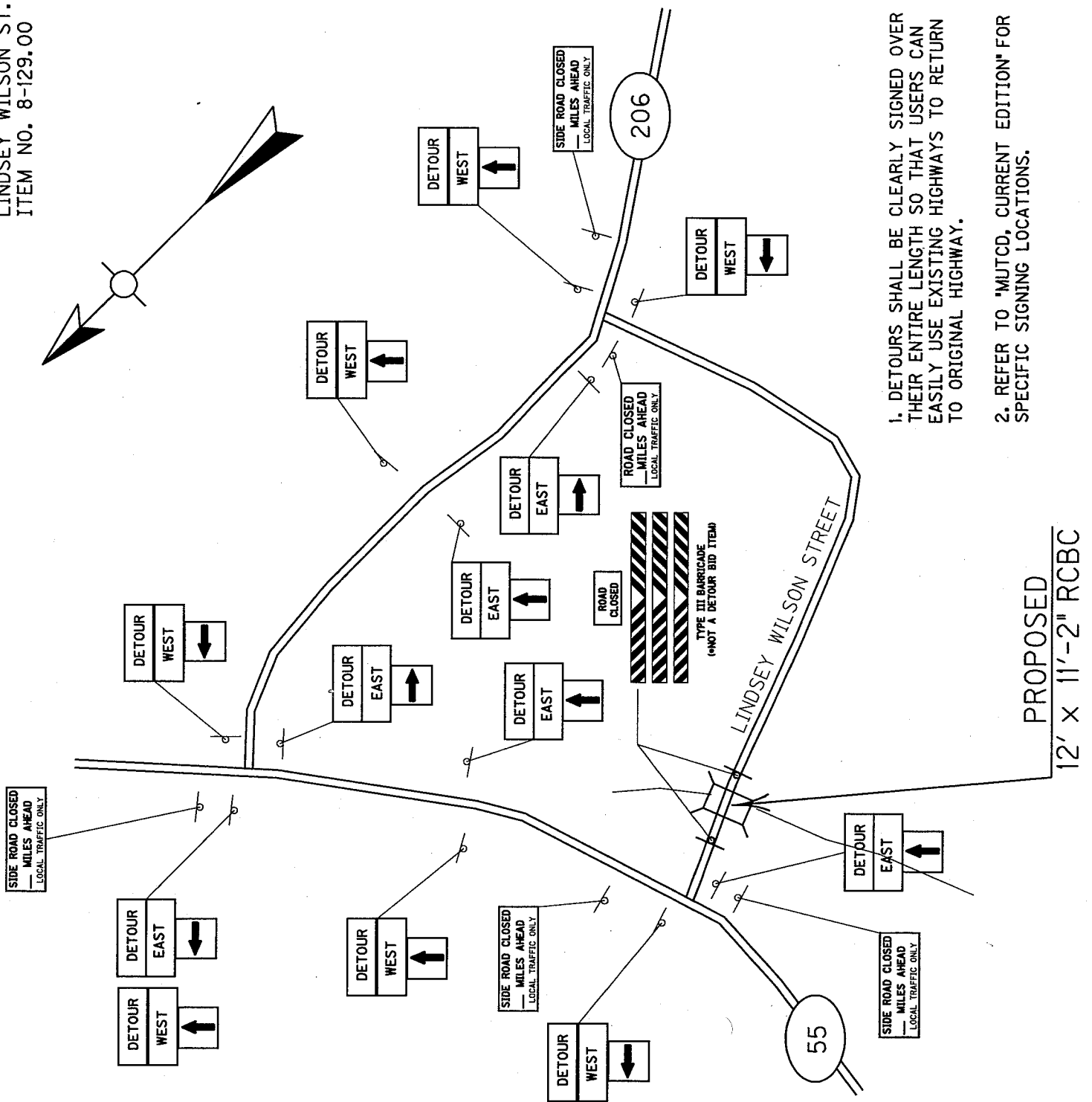
FOR TEMPORARY CONDITIONS, DROP-OFFS GREATER THAN FOUR INCHES MAY BE PROTECTED WITH PLASTIC DRUMS, VERTICAL PANELS OR BARRICADES FOR SHORT DISTANCES DURING DAYLIGHT HOURS WHILE WORK IS BEING DONE IN THE DROP-OFF AREA.

LESSER TREATMENTS THAN THOSE DESCRIBED ABOVE MAY BE CONSIDERED FOR LOW VOLUME LOCAL STREETS. PAYMENT WILL BE ALLOWED FOR THE MATERIAL USED FOR WEDGING.

## STANDARD DRAWINGS

RDX-210-02  
TSC-260-11  
TSC-261-08  
TSC-265-01

ADAIR COUNTY  
LINDSEY WILSON ST.  
ITEM NO. 8-129.00



1. DETOURS SHALL BE CLEARLY SIGNED OVER THEIR ENTIRE LENGTH SO THAT USERS CAN EASILY USE EXISTING HIGHWAYS TO RETURN TO ORIGINAL HIGHWAY.
2. REFER TO "MUTCD, CURRENT EDITION" FOR SPECIFIC SIGNING LOCATIONS.

PROPOSED  
12' x 11'-2" RCBC

DETOUR SIGNING SHEET

SHEET NO. 6 OF 6

UTILITY NOTES TO BE INCLUDED IN THE PROPOSAL  
SPECIAL NOTES FOR UTILITY CLEARANCE  
IMPACT ON CONSTRUCTION

ADAIR COUNTY  
FD39-001-7291601D  
LINDSEY WILSON STREET  
ITEM NO. 08-129.00

The following companies have facilities to be relocated and/or adjusted on the subject project:

There are no utility companies having facilities to be relocated and/or adjusted on the subject project.

There are no railroad companies having facilities to be relocated and/or adjusted on the subject project.

COORDINATION WITH UTILITY FACILITIES

The Contractor will coordinate his activities with the utility facility owners to minimize and where possible avoid conflicts with the utility facilities. Where conflicts are unavoidable the Contractor will coordinate his work with any necessary utility relocations and/or adjustments. There will be no damages awarded for delays caused by necessary utility relocations and/or adjustments.

PROTECTION OF UTILITIES

The location of utilities provided in the contract documents has been furnished by the facility owners and/or by reviewing record drawings and may not be accurate. It will be the roadway contractor's responsibility to locate utilities before excavating by calling the various utility owners and by examining any supplemental information supplied by the cabinet. If necessary, the roadway contractor shall determine the exact location and elevation of utilities by hand digging to expose utilities before excavating in the area of a utility. The cost for repair and any other associated costs for any damage to utilities caused by the roadway contractor's operations shall be borne by the roadway contractor.

The contractor is advised to contact the BUD one-call system; however, the Contractor should be aware that owners of underground facilities are not required to be members of the BUD on-call system. It may be necessary for the Contractor to contact the County Court Clerk to determine what utility companies have facilities in the project area.

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# N O T I C E

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**DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS  
(NATIONWIDE PERMIT AUTHORIZATION)**

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**PROJECT:** Adair County, Item No. 8-129.00  
Culvert replacement on UT of Russell Creek

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The Section 404 activities for this project have been previously permitted under the authority of the Department of the Army Nationwide Permit No.3 "*MAINTENANCE*" in accordance with 33 CFR 330, Appendix A, Part B. In order for this authorization to be valid, the conditions for Nationwide Permits must be followed. Attached is the permit and the conditions imposed. The contractor shall post a copy of this Nationwide Permit in a conspicuous location at the project site for the duration of construction and comply with the attached conditions as required.

To more readily expedite construction, the contractor may elect to alter the design or perform the work in a manner different from what was originally proposed and specified. Prior to commencing such alternative work, the contractor shall obtain written permission from the Division of Construction and the Corps of Engineers. A copy of any request to the Corps of Engineers to alter this proposal and subsequent responses shall be forwarded to the Division of Environmental Analysis, DA Permit Coordinator, for office records and for informational purposes.



**DEPARTMENT OF THE ARMY**  
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE  
CORPS OF ENGINEERS  
P.O. BOX 59  
LOUISVILLE, KENTUCKY 40201-0059  
FAX: (502) 315-6677  
<http://www.lrl.usace.army.mil>

September 23, 2002

Operations Division  
Regulatory Branch (South)  
ID No. 200201189-par

Mr. Keith Crim  
Commonwealth of Kentucky  
Transportation Cabinet  
125 Holmes Street  
Frankfort, Kentucky 40622

Dear Mr. Crim:

This is in response to your request for authorization to replace an existing damaged culvert carrying Lindsey Wilson Street over an unnamed tributary to Russell Creek in Adair County, Kentucky. The information supplied by you was reviewed to determine whether a Department of the Army (DA) permit would be required under the provisions of Section 404 of the Clean Water Act.

Your project is considered maintenance of a structure which has been previously authorized, either by DA Permit or by having been constructed prior to current Federal laws. Therefore, the project is authorized under the provisions of 33 CFR 330 Nationwide Permit (NWP) No. 3, Maintenance, as published in the Federal Register January 15, 2002. Under the provisions of this authorization, you must comply with the enclosed:

1. Terms for Nationwide Permit No. 3;
2. Nationwide Permit General Conditions; and
3. Water Quality Certification (WQC) Conditions for Nationwide Permit No. 3 issued by the Kentucky Division of Water. If required under these conditions, you must obtain individual WQC.

Once you obtain individual WQC or if no application was required, you may proceed with the work without further contact or verification from us. The enclosed Compliance Certification should be signed and returned when the project is completed. This decision is valid for 2 years from the date of this letter. If your project is not completed within this 2-year period or if your project is modified you must contact us for another permit determination.

If you have any questions, please contact Ms. Patricia A. Richerson by writing to the above address, ATTN: CELRL-OP-FS, or by calling (502) 315-6687. Any correspondence on this matter should refer to our ID No. 200201189-par.

Sincerely,

A handwritten signature in black ink, reading "Lee Anne Devine". The signature is written in a cursive style with a large, stylized initial "L".

Lee Anne Devine  
Chief, South Section  
Regulatory Branch

Enclosures



### **Nationwide Permit No. 3 MAINTENANCE**

Activities related to: (i) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards which are necessary to make repair, rehabilitation, or replacement, are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation, or replacement are minimal. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. This nationwide permit authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire, or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the District Engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(ii) Discharges of dredged or fill material, including excavation, into all waters of the United States to remove accumulated sediments and debris in the vicinity of, and within, existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional rip rap to protect the structure, provided the permittee notifies the District Engineer in accordance with General Condition 13. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. All excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the District Engineer under separate authorization. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the District Engineer.

(iii) Discharges of dredged or fill material, including excavation, into all waters of the United States for activities associated with the restoration of upland areas damaged by a storm, flood, or other discrete event, including the construction, placement, or installation of upland protection structures and minor dredging to remove obstructions in waters of the United States. (Uplands lost as a result of a storm, flood, or other discrete event can be replaced without a Section 404 permit provided the uplands are restored to their original pre-event location. This NWP is for the activities in waters of the United States associated with the replacement of the uplands.) The permittee must notify the District Engineer, in accordance with General Condition 13, within 12 months of the date of the damage and the work must commence, or be under contract to commence, within two years of the date of the damage. The permittee should provide evidence, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration. The restoration of the damaged areas cannot exceed the contours, or ordinary high water mark, that existed prior to the damage. The District Engineer retains the right to determine the extent of the pre-existing conditions and the extent of any restoration work authorized by this permit. Minor dredging to remove obstructions from the adjacent waterbody is limited to 50 cubic yards below the plane of the ordinary high water mark, and is limited to the amount necessary to restore the pre-existing bottom contours of the waterbody. The dredging may not be done primarily to obtain fill for any restoration activities. The discharge of dredged or fill material and all related work needed to restore the upland must be part of a single and complete project. This permit cannot be used in conjunction with NWP 18 or NWP 19 to restore damaged upland areas. This permit does not authorize the replacement of lands lost through gradual erosion processes.

Maintenance dredging for the primary purpose of navigation and beach restoration are not authorized by this permit. This permit does not authorize new stream channelization or stream relocation projects. Any work authorized by this permit must not cause more than minimal degradation of water quality, more than minimal changes to the flow characteristics of the stream, or increase flooding (See General Conditions 9 and 21). (Sections 10 and 404)

Note: This NWP authorizes the minimal impact repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Section 404(f) exemption for maintenance.



COMMONWEALTH OF KENTUCKY  
**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET**  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
FRANKFORT OFFICE PARK  
14 REILLY RD  
FRANKFORT KY 40601

**General Certification--Nationwide Permit # 3**  
**Maintenance**

This General Certification is issued March 17, 2002, in conformity with the requirements of Section 401 of the Clean Water Act of 1977, as amended (33USC 1314), as well as Kentucky Statute KRS 224.16-070.

The Commonwealth of Kentucky hereby certifies under Section 401 of the Clean Water Act (CWA) that it has reasonable assurances that applicable water quality standards under Kentucky Administrative Regulations Title 401, Chapter 5, established pursuant to Sections 301, 302, 304, 306 and 307 of the CWA, will not be violated for the activity covered under 33 CFR Part 330 Appendix A(B) (3), namely maintenance, provided that the following conditions are met:

1. Impacts to jurisdictional **wetlands greater than 1 acre** will require mitigation and an individual Water Quality Certification from the Kentucky Division of Water prior to beginning of work.
2. Impacts to streams **greater than 200 linear feet** of stream length will require an individual Water Quality Certification from the Division of Water prior to beginning work. For the purpose of this General Certification, streams are defined as a solid or dashed blue line on the most recent version of USGS 1:24,000 topographic map.
3. For those projects impacting **less than 200 feet of stream** or 1 acre of wetland the following condition must be observed:
  - Effective erosion and sedimentation control measures must be employed at all times during the project to prevent degradation of waters of the Commonwealth.
4. This General Certification shall not apply to those waters of the Commonwealth identified as Outstanding State Resource Waters, Exceptional Waters or Cold Water Aquatic Habitat Waters, as designated by the Division of Water. An individual Water Quality Certification will be required for projects in these waters.

Non-compliance with the conditions of this general certification or violation of Kentucky state water quality standards may result in civil penalties.

This general certification will expire on March 19, 2007, or sooner if the COE makes significant changes to this nationwide permit.



## NATIONWIDE PERMIT CONDITIONS

General Conditions: The following general conditions must be followed in order for any authorization by a NWP to be valid:

1. **Navigation.** No activity may cause more than a minimal adverse effect on navigation.
2. **Proper Maintenance.** Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
4. **Aquatic Life Movements.** No activity may substantially disrupt the life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
5. **Equipment.** Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. **Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions, which may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.
7. **Wild and Scenic Rivers.** No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible mix inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, US Forest Service, Bureau of Land Management, US Fish and Wildlife Service).
8. **Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
9. **Water Quality.** (a) In certain States and tribal lands an individual 401 water quality certification must be obtained or waived (See 33 CFR 330.4(c)).  
(b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the State or tribal 401 certification (either generically or individually) does not require or approve a water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of a water quality management plan includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (Refer to General Condition 21 for stormwater management requirements). Another important component of a water quality management plan is the establishment and maintenance of vegetated buffers next to open waters, including streams (Refer to General Condition 19 for vegetated buffer requirements for the NWPs). This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.
10. **Coastal Zone Management.** In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR 330.4(d)).
11. **Endangered Species.** (a) No activity is authorized under any NWP, which is likely to jeopardize the continued existence of a threatened or endangered species, or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS, the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a nationwide permit does not authorize the 'take' of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with 'incidental take' provisions, etc.) from the US Fish and Wildlife Service or the National Marine Fisheries Service, both lethal and non-lethal 'takes' of protected species are in violation of the Endangered Species Act. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the US Fish and Wildlife Service and National Marine Fisheries Service or their World Wide Web pages at <http://www.fws.gov/r9endspp/endspp.html> and [http://www.nfms.noaa.gov/prot\\_res/overview/es.html](http://www.nfms.noaa.gov/prot_res/overview/es.html), respectively.

**12. Historic Properties.** No activity, which may affect historic properties, listed, or eligible for listing, in the National Register of Historic Places is authorized, until the DE has complied with the provisions of 33 CFR part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

**13. Notification.** (a) Timing: Where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the PCN is complete within 30 days of the date of receipt and can request the additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity:

(1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or

(2) If notified in writing by the District or Division Engineer that an individual permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Notification: The notification must be in writing and include the following information:

(1) Name, address, and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s), or individual permit(s) Used or intended to be Used to authorize any part of the proposed project or any related activity. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision); and

(4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));

(5) For NWP 7, Outfall Structures and Maintenance, the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed.

(6) For NWP 14, Linear Transportation Projects, the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable.

(7) For NWP 21, Surface Coal Mining Activities, the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;

(8) For NWP 27, Stream and Wetland Restoration Activities, the PCN must include documentation of the prior condition of the site that will be reverted by the permittee.

(9) For NWP 29, Single-Family Housing, the PCN must also include:

(i) Any past use of this NWP by the individual permittee and/or the permittee's spouse;

(ii) A statement that the single-family housing activity is for a personal residence of the permittee;

(iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring 1/4 acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of

where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than 1/4 acre in size, a formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));

(iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;

(10) For NWP 31, Maintenance of Existing Flood Control Facilities, the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:

(i) Sufficient baseline information so as to identify the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;

(ii) A delineation of any affected special aquatic sites, including wetlands; and,

(iii) Location of the dredged material disposal site.

(11) For NWP 33, Temporary Construction, Access, and Dewatering, the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources.

(12) For NWP's 39, 43, and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization of losses of waters of the US were achieved on the project site.

(13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal that offsets unavoidable losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent streambed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44, Mining Activities, the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities).

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work.

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include vicinity map indicating the location of the historic property.

(c) Form of Notification: The standard individual permit application form (Form ENG 4345) may be Used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(19) of General Condition 13. A letter containing the requisite information may also be used.

(d) District Engineer's Decision: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may, optionally, submit a proposed mitigation plan with the PCN to expedite the process and the District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. Any compensatory mitigation proposal must be approved by the District Engineer prior to commencing work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal

adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant stating that the project can proceed under the terms and conditions of the nationwide permit. If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then he will notify the applicant either: (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required in order to ensure no more than minimal adverse effects on the aquatic environment, the activity will be authorized within the 45-day PCN period, including the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) **Agency Coordination:** The District Engineer will consider any comments from Federal and State agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse effects on the aquatic environment to a minimal level.

For activities requiring notification to the District Engineer that result in the loss of greater than 1/2 acre of waters of the US, the District Engineer will, upon receipt of a notification, provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner), a copy to the appropriate offices of the Fish and Wildlife Service, State natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the National Marine Fisheries Service. With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to National Marine Fisheries Service within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

(f) **Wetlands Delineations:** Wetland delineations must be prepared in accordance with the current method required by the Corps. For NWP 29 see paragraph (b)(9)(iii) for parcels less than 1/4 acre in size. The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

**14. Compliance Certification.** Every permittee who has received a nationwide permit verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter. The certification will include: (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) A statement that any required mitigation was completed in accordance with the permit conditions; and (c) The signature of the permittee certifying the completion of the work and mitigation.

**15. Use of Multiple Nationwide Permits.** The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed 1/3 acre.

**16. Water Supply Intakes.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

**17. Shellfish Beds.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

**18. Suitable Material.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material Used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

19. **Mitigation.** The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP. For example, 1/4 -acre of wetlands cannot be created to change a 3/4 -acre loss of wetlands to a 1/2 -acre loss associated with NWP 39 verification. However, 1/2 -acre of created wetlands can be used to reduce the impacts of a 1/2 -acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWPs.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

20. **Spawning Areas.** Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

21. **Management of Water Flows.** To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. **Adverse Effects From Impoundments.** If the activity, including structures and work in navigable waters of the US or discharge of dredged or fill material, creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.



23. **Waterfowl Breeding Areas.** Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. **Removal of Temporary Fills.** Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. **Designated Critical Resource Waters.** Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, State natural heritage sites, and outstanding national resource waters or other waters officially designated by a State as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the US Fish and Wildlife Service or the National Marine Fisheries Service has concurred in a determination of compliance with this condition.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWP's only after he determines that the impacts to the critical resource waters will be no more than minimal.

26. **Fills Within 100-Year Floodplains.** For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) *Discharges in Floodplain; Below Headwaters.* Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters (i.e. five cfs), resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) *Discharges in Floodway; Above Headwaters.* Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. **Construction Period.** For activities the Corps has not verified that and the project were commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12- months after such date (including any modification that affects the project).

For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps.

For projects that have been verified by the Corps, an extension of a Corps approved completion date maybe requested. This request must be submitted at least one month before the previously approved completion date.

#### D. Further Information

1. District engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWP's do not obviate the need to obtain other Federal, State, or local permits, approvals, or authorizations required by law.
3. NWP's do not grant any property rights or exclusive privileges.
4. NWP's do not authorize any injury to the property or rights of others.
5. NWP's do not authorize interference with any existing or proposed Federal project.

**Section 10 Special Condition:** The permittee understands and agrees that, if future operations by the US require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or is authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structure work or obstructions caused thereby, without expense to the US. No claim shall be made against the US on account of any such removal or alteration.



**Compliance Certification:**

**Permit Number: ID NO. 200201189-par**

**Name of Permittee: Kentucky Transportation Cabinet**

**Date of Issuance: September 23, 2002**

Upon completion of the activity authorized by this permit and any mitigation required by this permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
CELRL-OP-FS  
P.O. Box 59  
Louisville, Kentucky 40201

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

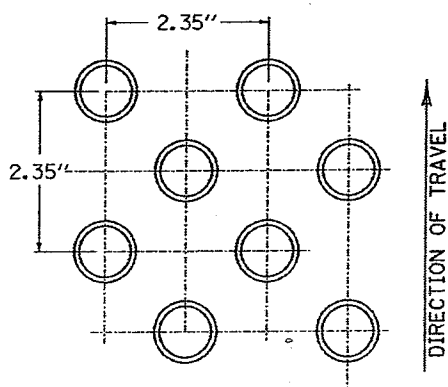
\_\_\_\_\_  
Date

## SPECIAL NOTE FOR DETECTABLE WARNINGS FOR SIDEWALK RAMPS

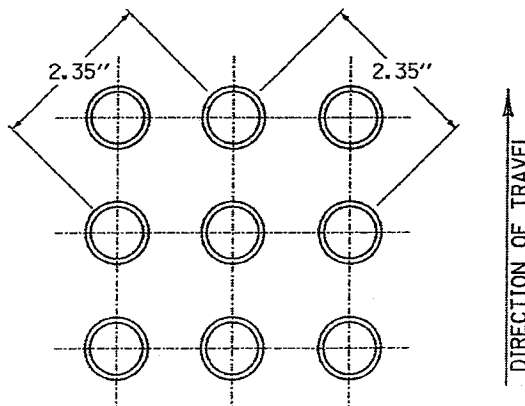
This Special Note will apply when indicated on the plans or in the proposal.

**1.0 DESCRIPTION.** Install detectable warnings at all sidewalk ramps.

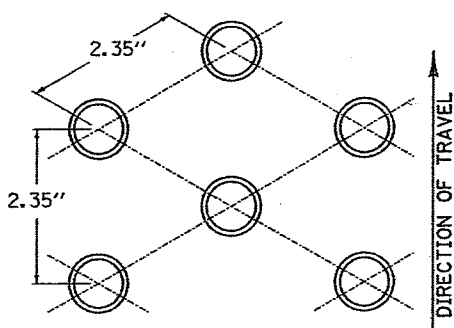
**2.0 MATERIALS.** Use precast concrete pavers having a minimum thickness of 2 inches and truncated domes at the nominal dimensions shown below. Ensure their color is homogeneous throughout the paver and contrasts visually with adjoining surfaces, either light-on-dark or dark-on-light. The Department will allow either bright yellow or bright red as colors. The Department will consider Hanover Detectable Warning Pavers of Hanover Pennsylvania, Interlock Tactile Stone of Carlsbad California, and other equivalent pavers as acceptable. Obtain the Engineer's written approval before providing equivalent pavers.



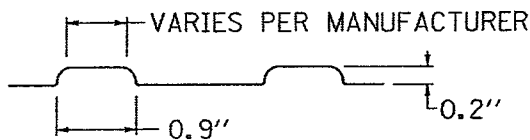
**SQUARE PATTERN  
(DIAGONAL ALIGNMENT)**



**SQUARE PATTERN  
(PARALLEL ALIGNMENT)**



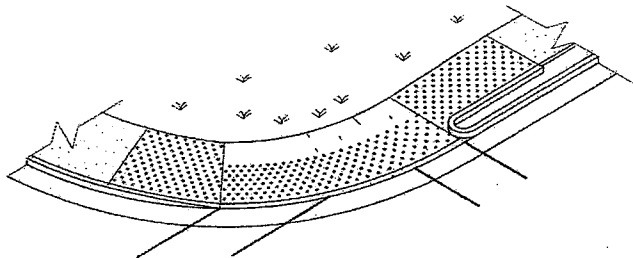
**TRIANGULAR PATTERN**



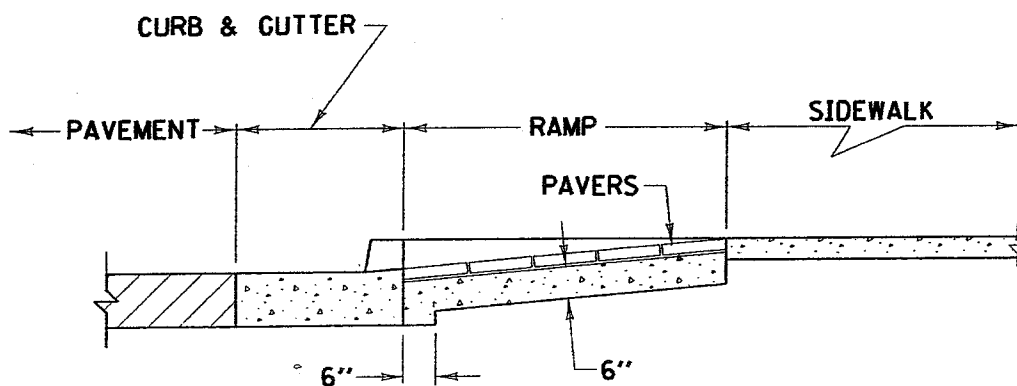
**TRUNCATED DOME PROFILE**

**3.0 CONSTRUCTION.** Install detectable warnings that extend the full surface width and length of the ramp. If a walkway crosses or adjoins a vehicular way, and the walking surfaces are not separated by curbs, railings, or other elements between the pedestrian areas and vehicular

areas, define the boundary between the areas with a continuous warning with a minimum width of 36 inches. Install the detectable warning pavers as shown below and according to the manufacture's recommendations.



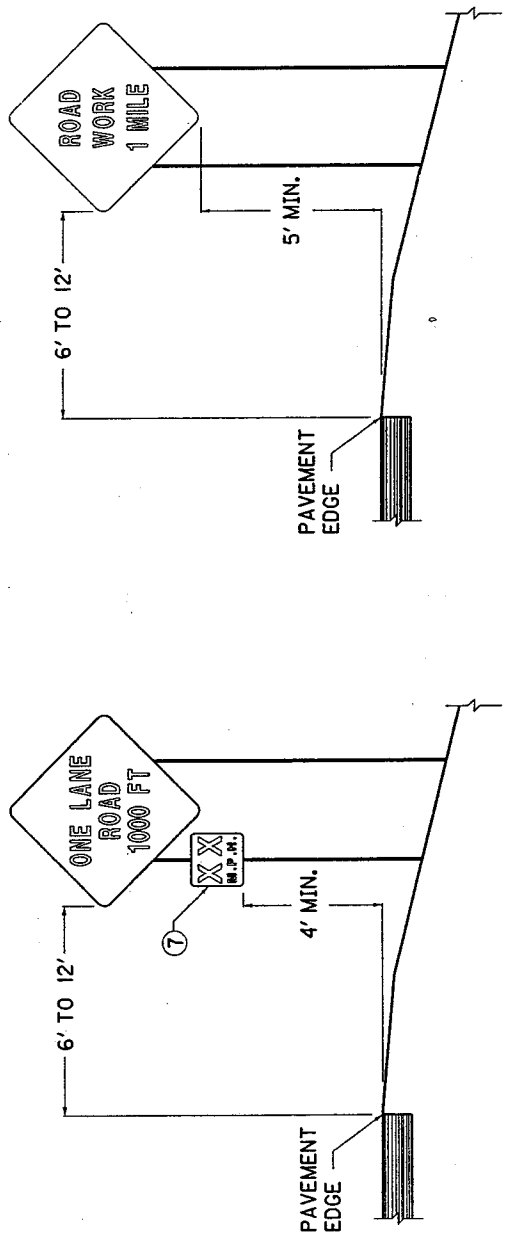
**TYPICAL DETECTABLE WARNING PLACEMENT**



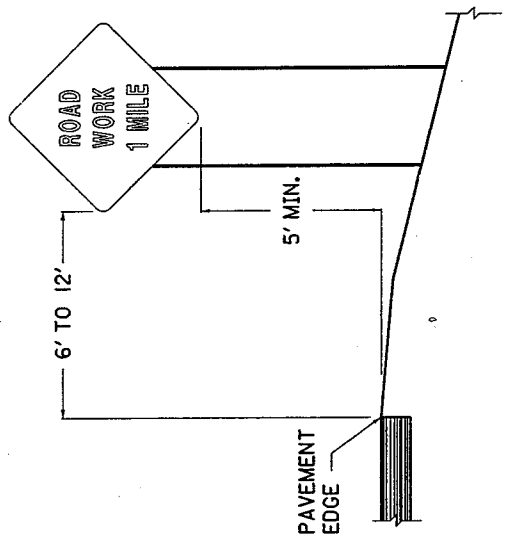
**TYPICAL DETECTABLE WARNING INSTALLATION**

**4.0 Measurement and Payment.** The Department will not measure Detectable Warnings or their application for payment and will consider them incidental to Concrete Sidewalk.

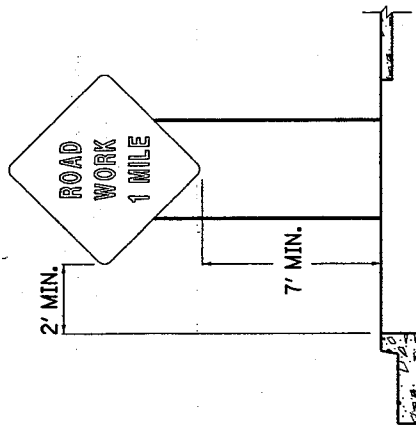
May 29, 2002



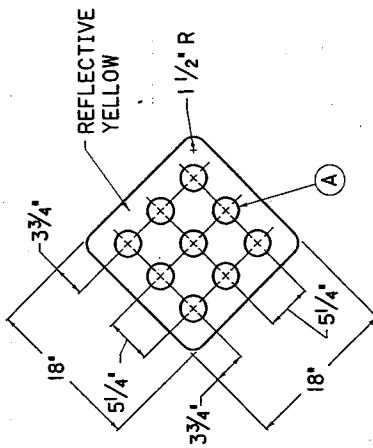
RURAL AREA WITH  
ADVISORY SPEED PLATE



RURAL AREA

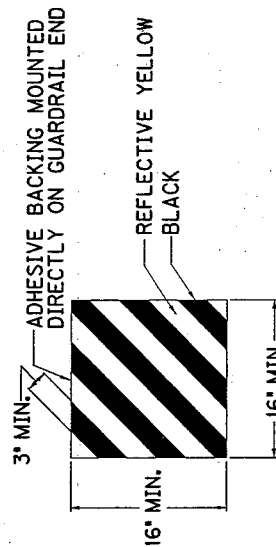


URBAN AREA ⑧



① YELLOW REFLECTOR, REFLECTIVITY CONFORMING  
TO TYPE A (MINIMUM DIAMETER OF 3")

OBJECT MARKER  
TYPE 1



OBJECT MARKER  
TYPE 3

1. ALL TRAFFIC CONTROL DEVICES AND OPERATIONS SHALL CONFORM TO THE CURRENT EDITIONS OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" AND THE "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION".

2. ALL CATEGORY I AND CATEGORY II WORK ZONE DEVICES SHALL BE COMPLIANT WITH NCHRP 350.

3. SIGNS SHALL BE MADE INACCESSIBLE TO THE VIEW OF TRAFFIC WHENEVER SIGN MESSAGE DOES NOT APPLY.

4. SIGN SPACING MAY BE ADJUSTED TO FIT THE PHYSICAL CONDITIONS ENCOUNTERED SUCH AS DRIVEWAYS, APPROACH ROADS, ETC. APPROACH ROADS AND INTERSECTING STREETS MAY REQUIRE ADDITIONAL SIGNING NOT SHOWN ON THE STANDARD DRAWINGS.

5. SIGNS LARGER THAN 10 SQUARE FEET SHALL BE MOUNTED ON TWO POSTS.

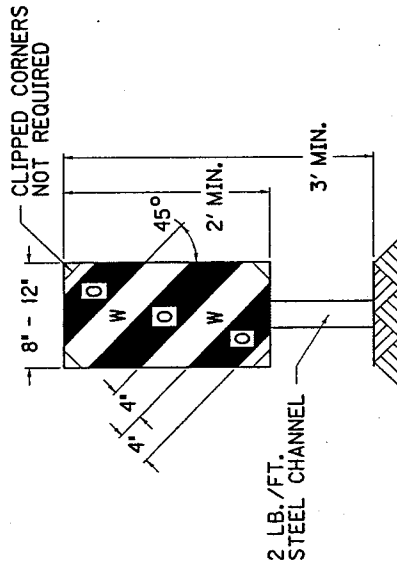
6. HOLES FOR INSTALLATION SHALL BE FIELD DRILLED. OBJECT MARKER TYPE 1 SHALL BE INSTALLED WITH TWO (2) M6 X 25 ALUMINUM OR STAINLESS STEEL SLOTTED ROUND HEAD MACHINE SCREWS, TWO (2) ROUND WASHERS, TWO (2) LOCK WASHERS, AND TWO (2) HEX HEAD NUTS (CQ).

⑦ SPEED ADVISORY PLATE SHALL BE PLACED ON SIGN SUPPORT LEG NEAREST TRAFFIC.

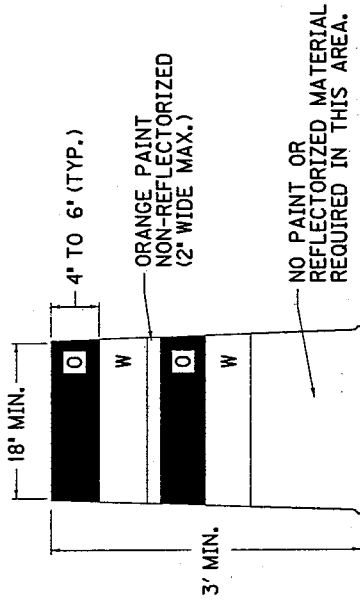
⑧ URBAN AREA REFERS TO ANY BUSINESS, COMMERCIAL, AND/OR RESIDENTIAL AREA WHERE PARKING AND/OR PEDESTRIAN MOVEMENT IS LIKELY TO OCCUR OR WHERE THERE ARE OTHER OBSTRUCTIONS TO MOTORISTS' VIEW.

DRAWING NOT TO SCALE  
USE WITH CURRENT STD. DWG.  
TSC-261

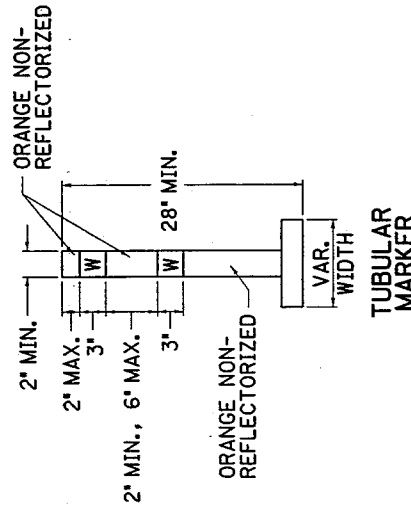
KENTUCKY DEPARTMENT OF HIGHWAYS
MISCELLANEOUS TRAFFIC CONTROL DEVICES
SUBMITTED <i>[Signature]</i> 6-14-02 DIRECTOR DIVISION OF TRAFFIC DATE



VP-1 ②  
VERTICAL PANEL



DRUM ③



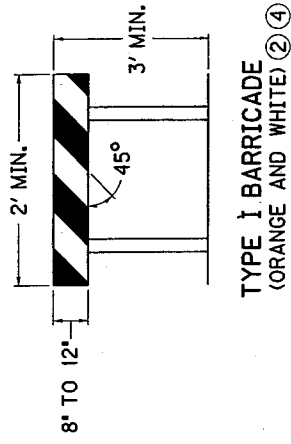
1. BARRICADES, CONES, TUBULAR MARKERS, DRUMS, AND VERTICAL PANELS SHALL BE FABRICATED WITH REFLECTIVE MATERIALS CONFORMING TO TYPE III. ALL AREAS TO BE REFLECTORIZED, UNLESS OTHERWISE SHOWN. ALL CATEGORY I AND CATEGORY II WORK ZONE DEVICES SHALL BE COMPLIANT WITH NCHRP 350.

② STRIPES SHALL SLOPE DOWN IN DIRECTION OF TRAFFIC FLOW. VERTICAL PANELS AND BARRICADES INTENDED FOR USE ON EXPRESSWAYS, FREEWAYS, AND OTHER HIGH-SPEED ROADWAYS SHALL HAVE A MINIMUM OF 270 SQUARE INCHES OF REFLECTIVE AREA FACING TRAFFIC. STRIPE WIDTHS OF 6" SHALL BE USED. WHEN PANEL HEIGHTS OR RAIL LENGTHS ARE LESS THAN 3', STRIPE WIDTHS OF 4" MAY BE USED.

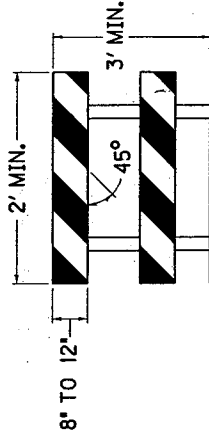
③ DRUMS SHALL HAVE A MINIMUM OF TWO ORANGE AND TWO WHITE STRIPES WITH THE TOP STRIPE BEING ORANGE. DRUMS SHALL NOT BE WEIGHTED WITH SAND, WATER, OR ANY MATERIAL TO THE EXTENT THAT WOULD MAKE THEM HAZARDOUS TO ROAD USERS OR WORKERS WHEN STRUCK. BALLAST SHALL NOT BE PLACED ON TOP OF A DRUM. WHEN SUSCEPTIBLE TO FREEZING, DRUMS SHALL HAVE DRAIN HOLES IN THE BOTTOM SO WATER WILL NOT ACCUMULATE AND FREEZE CAUSING A HAZARD FOR ROAD USERS.

④ BARRICADES SHALL BE SUPPORTED IN A MANNER THAT PROVIDES A STABLE SUPPORT THAT IS NOT EASILY BLOWN OVER OR DISPLACED. BALLAST SHALL NOT BE PLACED ON TOP OF ANY STRIPED RAIL.

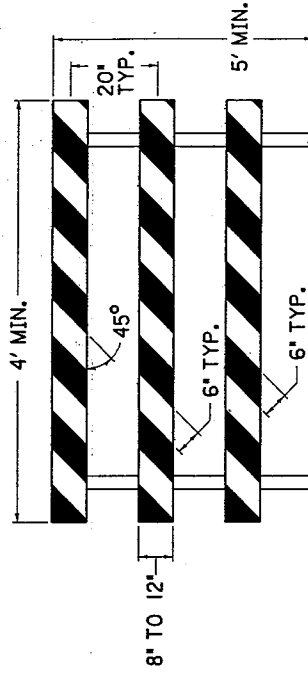
W = WHITE  
O = ORANGE



TYPE I BARRICADE  
(ORANGE AND WHITE) ② ④

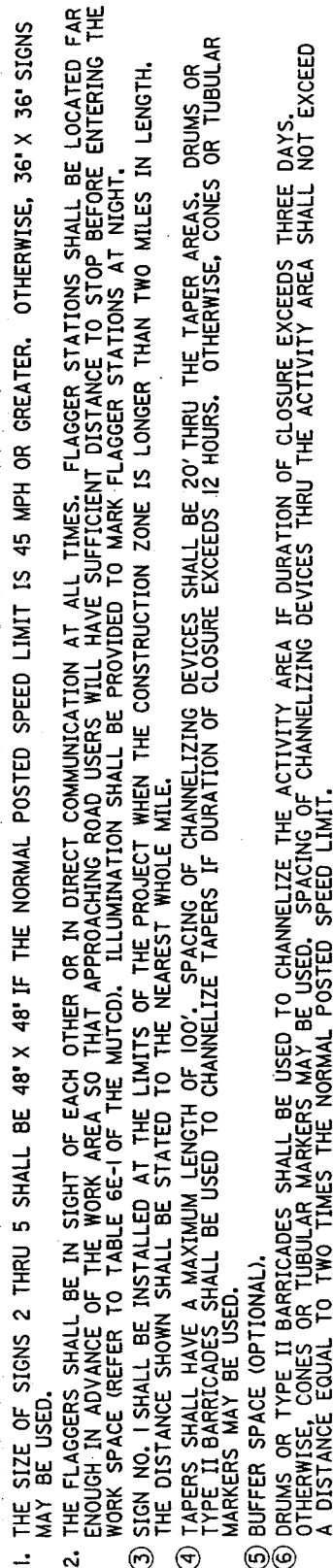


TYPE II BARRICADE  
(ORANGE AND WHITE) ② ④



TYPE III BARRICADE  
(ORANGE AND WHITE) ② ④

DRAWING NOT TO SCALE



THIS DRAWING APPLIES TO LANE CLOSURES ON TWO-LANE, TWO DIRECTION HIGHWAYS.

SIGNING AND SPACING TABLE					
ROAD TYPE	A	B	C	D	SIGNS REQUIRED
EXPRESSWAY/ FREEWAY	1000'	500'	1100'	2600'	1 THRU 5
RURAL/URBAN SP. LT. $\geq$ 45 MPH*	500'	500'	500'	1100'	1 THRU 5
URBAN SP. LT. $<$ 40 MPH*	250'	250'	250'	250'	1, 3 THRU 5

•NOTE: USE NORMAL POSTED SPEED LIMIT

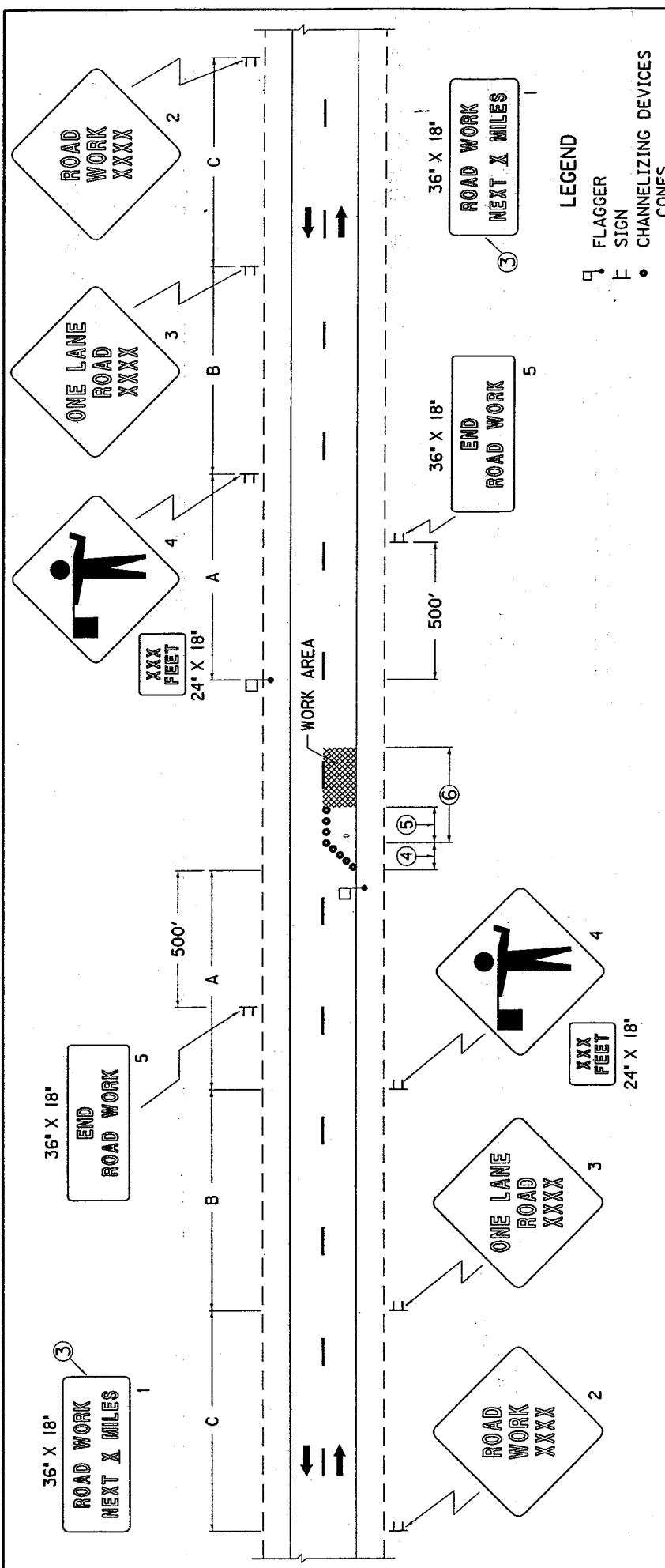
DRAWING NOT TO SCALE  
USE WITH CURRENT STD. DWG  
TSC-260, TSC-261, TSC-265

**KENTUCKY**

DEPARTMENT OF HIGHWAYS

LANE CLOSURE  
TWO-LANE HIGHWAY  
CASE I

SUBMITTED Simon K. Connett 6-14-02  
DIRECTOR DIVISION OF TRAFFIC DATE



1. THE SIZE OF SIGNS 2 THRU 4 SHALL BE 48" X 48" IF THE NORMAL POSTED SPEED LIMIT IS 45 MPH OR GREATER. OTHERWISE, 36" X 36" SIGNS MAY BE USED.
2. THE FLAGGERS SHALL BE IN SIGHT OF EACH OTHER OR IN DIRECT COMMUNICATION AT ALL TIMES. FLAGGER STATIONS SHALL BE LOCATED FAR ENOUGH IN ADVANCE OF THE WORK AREA SO THAT APPROACHING ROAD USERS WILL HAVE SUFFICIENT DISTANCE TO STOP BEFORE ENTERING THE WORK SPACE (REFER TO TABLE 6E-1 OF THE MUTCD).
3. SIGN NO. 1 SHALL BE INSTALLED AT THE LIMITS OF THE PROJECT WHEN THE CONSTRUCTION ZONE IS LONGER THAN TWO MILES IN LENGTH. THE DISTANCE SHOWN SHALL BE STATED TO THE NEAREST WHOLE MILE.
4. TAPER SHALL HAVE A MAXIMUM LENGTH OF 100'. SPACING OF CHANNELIZING DEVICES SHALL BE 20' THRU THE TAPER AREA.
5. BUFFER SPACE (OPTIONAL).
6. CONES SHALL BE PLACED THRU THE ACTIVITY AREA WHERE ROADWAY WIDTH PERMITS. SPACING OF CONES SHALL NOT EXCEED A DISTANCE EQUAL TO TWO TIMES THE NORMAL POSTED SPEED LIMIT.

DRAWING NOT TO SCALE  
 USE WITH CURRENT STD. DWGS.  
 TSC-260, TSC-261, TSC-265

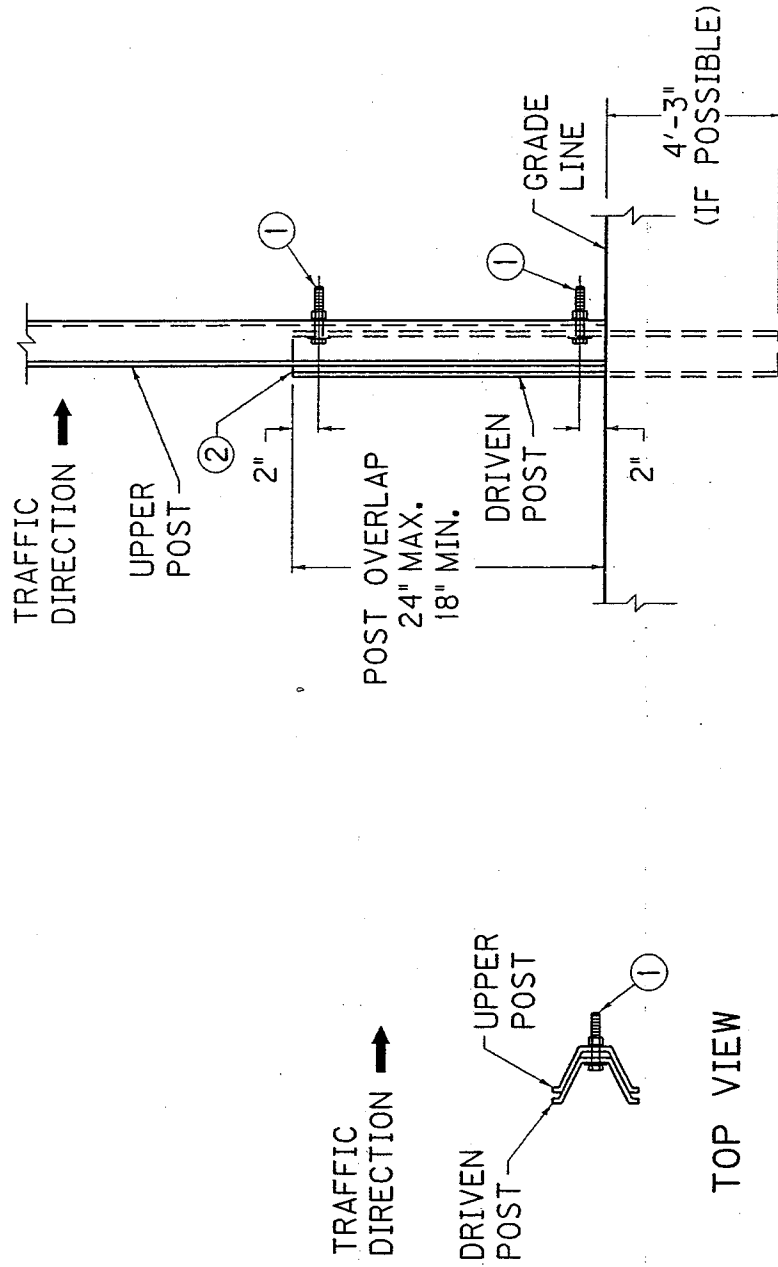
KENTUCKY  
 DEPARTMENT OF HIGHWAYS  
**LANE CLOSURE  
 TWO-LANE HIGHWAY  
 CASE II**

SUBMITTED: *James K. Smith*  
 DIRECTOR DIVISION OF TRAFFIC  
 6-14-02  
 DATE

SIGNING AND SPACING TABLE				
ROAD TYPE	A	B	C	
EXPRESSWAY/ FREEWAY	1000'	1600'	2600'	
RURAL/URBAN SP. LT. $\geq$ 45 MPH*	500'	500'	500'	
SP. LT. $\leq$ 40 MPH*	250'	250'	500'	

\*NOTE: USE NORMAL POSTED SPEED LIMIT

**APPLICATION**  
 THIS DRAWING APPLIES TO LANE CLOSURES DURING DAYLIGHT HOURS ON TWO-LANE, TWO-DIRECTION HIGHWAYS WITH ROADWAY WIDTHS FROM 16 TO 20 FEET. ROADS WITH WIDTHS LESS THAN 16 FEET SHOULD BE CLOSED TO THROUGH TRAFFIC. LOCAL TRAFFIC SHALL BE MAINTAINED.



# **APPLICATION**

PREFERABLY, SIGN POSTS ARE NOT TO BE SPliced, HOWEVER, TO OBTAIN THE REQUIRED HEIGHT, SIGN POSTS MAY BE SPliced ONCE IN THEIR LENGTH AND ACCORDING TO THIS STANDARD DRAWING.

# **GENERAL NOTES**

- ① TWO (2) 5/16" X 2" HEX HEAD CAP SCREWS, TWO (2) ROUND WASHERS, TWO (2) LOCK WASHERS AND TWO HEX HEAD NUTS (ASTM A307).
- ② THE DRIVEN POST STUB SHALL BE REMOVED WHEN THE UPPER POST IS NOT IN PLACE.

DRAWING NOT TO SCALE

KENTUCKY DEPARTMENT OF HIGHWAYS
POST SPlicing DETAIL
SUBMITTED <i>James K. Smith</i> DIRECTOR, DIVISION OF TRAFFIC 6-14-02 DATE



PART II

SPECIAL PROVISIONS APPLICABLE TO PROJECT

SPECIAL PROVISION NO.

TITLE

69      Embankment at End Bent Structure (1-1-2000)

attached

## **SPECIAL PROVISION FOR EMBANKMENT AT BRIDGE END BENT STRUCTURES**

This Special Provision will apply when indicated on the plans or in the proposal. Section references herein are to the Department's 2000 Standard Specifications for Road and Bridge Construction. Apply the metric figures for projects designed in metric and English figures for projects designed in English.

**1.0 DESCRIPTION.** Construct a pile core and granular embankment at end bent structures. Construct the pile core and granular embankment according to the requirements of this Special Provision and the Plans, Standard Drawings, and the 1998 Standard Specifications. Construct structure granular backfill and granular embankment, as the Plans require.

### **2.0 MATERIALS.**

**2.1 Pile Core.** Conform to the Standard Specifications for embankment materials and, in addition, ensure the material is free of boulders larger than 75-mm (3-inch) maximum dimension or any other obstructions which would interfere with the driving of piles. The Department will permit Granular Embankment material provided the 75-mm (3-inch) maximum dimension is not exceeded.

When the plans specify core construction with granular embankment material, ensure that no material within the limits of the core exceeds the 75-mm (3-inch) maximum dimension.

**2.2 Granular Embankment.** Conform to Subsection 805.10. When Granular Embankment materials are erodible or unstable according to Subsection 805.12 Part G), use the Special Construction Methods found in 3.2.

**2.3 Structure Granular Backfill.** Conform to Subsection 805.11.

**2.4 Geotextile Fabric.** Conform to Table I in Section 843.

### **3.0 CONSTRUCTION.**

**3.1 General.** Construct roadway embankments at end bents according to Section 206 and in accordance with the Plans and Standard Drawings for full embankment section. After constructing the embankment, excavate for the end bent cap, drive piling, place the mortar bed, construct the end bent, and complete the embankment to finish grade according to the construction sequence shown on the Plans or Standard Drawings and as specified hereinafter.

After piles are driven (see design drawings), slope the bottom of the excavation towards the ends of the trench as noted on the plans for drainage. Using a separate pour, place concrete mortar, or any class concrete, to provide a base for forming and placing the cap. Place side forms for the end bent after the

mortar has set sufficiently to support workmen and forms without being disturbed.

Install 100-mm (4-inch) perforated pipe according to the plans. In the event slope protection extends above the elevation of the perforated pipe, extend the pipe through the slope protection.

After placing the end bent cap and removing adjacent forms, fill the excavation with structure granular backfill material to the level of the berm prior to placing beams for the bridge. After completing the end bent backwall, or after completing the span end wall, place the structure granular backfill to subgrade elevation. If the original excavation is enlarged, fill the entire volume with compacted structure granular backfill at no expense to the Department. Do not place backfill before removing adjacent form work. Place structure granular backfill material in trench ditches at the ends of the excavation.

Do not allow individual fragments larger than 100 mm (4 inches) in any dimension within 900 mm (36 inches) of the structure.

Tamp the backfill with hand tampers, pneumatic tampers, or other means the Engineer approves. Thoroughly compact the backfill under the overhanging portions of the structure to ensure that the backfill is in intimate contact with the sides of the structure.

Place and compact the pile core, granular embankment, and structure granular backfill according to the applicable density requirements for the project.

Do not allow seeding, sodding, or other vegetation to the exposed granular embankment.

**3.2 Special Construction Methods.** Erodible or unstable materials may erode even when protected by riprap or channel lining; use the special construction method described below when using these materials.

Use fine aggregates or friable sandstone granular embankment at "dry land" structures only. Do not use them at stream crossings or locations subject to flood waters.

When using material having 50 percent or more passing the 4.75 mm sieve (No. 4) for embankment, install 200 mm (8 inch) perforated underdrain pipe at or near the elevation of the original ground in the approximate locations depicted on the standard drawing and as the Engineer directs, to ensure positive drainage of the embankment. Wrap the perforated pipe with geotextile fabric of a type recommended by the pipe manufacturer. Construct headwalls on the outlet end of each perforated pipe.

For erodible or unstable materials having 50 percent or more passing the 4.75 mm sieve (No. 4), protect with geotextile fabric. Extend the fabric from the original ground to the top of slope over the entire area of the embankment slopes on each side of, and in front of, the end bent. Cover the fabric with at least 300 mm (one foot) of non-erodible material.

For erodible or unstable materials having 50 percent or less passing a 4.75 mm sieve (No. 4), cover with at least 300 mm (one foot) of non-erodible material.

Where erodible or unstable granular embankment will be protected by

riprap or channel lining, place geotextile fabric between the embankment and the specified slope protection.

#### **4.0 MEASUREMENT.**

**4.1 Pile Core.** The Department will measure the quantity of material for the pile core as Roadway Excavation, Embankment-in-Place, or Borrow Excavation, as applicable. The Department will not measure overhaul of material for the pile core or for any necessary manipulation such as stockpiling or double hauling for payment and will consider it incidental to the pile core construction.

**4.2 Granular Embankment.** The Department will measure the quantity in cubic meters (cubic yards) using the design quantity, increased or decreased by authorized adjustments as specified in Subsections 204.04.01 and 204.04.02. The Department will deduct the volume of the pile core from the quantity of Granular Embankment.

The Department will not measure furnishing and placing 200-mm perforated pipe and headwalls placed due to the use of erodible material for payment and will consider them incidental to the Granular Embankment.

The Department will not measure for payment any special construction caused by using erodible or unstable materials and will consider it incidental to the Granular Embankment regardless of whether the erodible or unstable material was specified or permitted.

**4.3 Structure Granular Backfill.** The Department will measure the quantity in cubic meters (cubic yards) using the design quantity, increased or decreased by authorized adjustments as specified in Subsections 204.04.01 and 204.04.02. The Department will not measure any additional material required for backfill outside the limits shown on the Plans and Standard Drawings for payment and will consider it incidental to the work.

When following construction sequence "A", as shown on the Standard Drawings, the Department will not measure structure excavation at the end bent for payment and will consider it incidental to Structure Granular Backfill.

The Department will not measure furnishing and placing the 100-mm (4-inch) perforated underdrain pipe for payment and will consider it incidental to the Structure Granular Backfill.

**4.4 Geotextile Fabric.** When the plans require geotextile fabric to be placed outside the limits of granular embankment, then measurement and payment for the fabric outside the limits of granular embankment will be in accordance with requirements elsewhere in the Contract.

**4.5 End Bent.** The Department will measure the quantities according to the Contract. The Department will not measure furnishing and placing the 50-mm (2-inch) mortar or concrete bed for payment and will consider it incidental

to the end bent construction.

**4.6 Roadway Excavation.** See Subsection 204.04.

**4.7 Embankment-in-Place.** See Subsection 206.05.

**4.8 Borrow Excavation.** See Subsection 205.05.

**5.0 PAYMENT.** The Department will make payment for the completed and accepted quantities under the following:

<u>Code</u>	<u>Pay Item</u>	<u>Pay Unit</u>
2200	Roadway Excavation	See Section 204.05
2230	Embankment-in-Place	See Section 206.05
2210	Borrow Excavation	See Section 205.05
2231	Structure Granular Backfill	Cubic Meter (Cubic Yards)
----	Granular Embankment	Cubic Meter (Cubic Yards)

The Department will consider payment as full compensation for all work required in this provision.

January 1, 2000

PART III

EMPLOYMENT, WAGE AND RECORD REQUIREMENTS  
(Copies of each Attached)

1. Schedule of Minimum Wages Established for the Project.
2. Labor and Wage Requirements, applicable to other than Federal-Aid System Contracts. (Rev. 2-16-95)
3. Executive Branch Code of Ethics.

**TRANSPORTATION CABINET  
DIVISION OF CONTRACT PROCUREMENT  
COMPLIANCE SECTION**

**PROJECT WAGE RATES**

**LETTING: 12-13-2002**

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**ADAIR COUNTY, FD39 001 7415**

The Lindsey Wilson Street (CR 7415)

Grade, Drain and Asphalt Surface

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**CONSTRUCTION WORKERS ..... MINIMUM HOURLY RATE ... \$5.15**

Note: Parts III and IV of "**Labor and Wage Requirements Applicable To Other Than Federal-Aid System Projects**" do not apply to this project.

TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS

LABOR AND WAGE REQUIREMENTS  
APPLICABLE TO OTHER THAN FEDERAL-AID SYSTEM PROJECTS

- I. Application
- II. Nondiscrimination of Employees (KRS 344)
- III. Payment of Predetermined Minimum Wages
- IV. Statements and Payrolls

I. APPLICATION

1. These contract provisions shall apply to all work performed on the contract by the contractor with his own organization and with the assistance of workmen under his immediate superintendence and to all work performed on the contract by piecework, station work or by subcontract. The contractor's organization shall be construed to include only workmen employed and paid directly by the contractor and equipment owned or rented by him, with or without operators.

2. The contractor shall insert in each of his subcontracts all of the stipulations contained in these Required Provisions and such other stipulations as may be required.

3. A breach of any of the stipulations contained in these Required Provisions may be grounds for termination of the contract.

II. NONDISCRIMINATION OF EMPLOYEES

AN ACT OF THE KENTUCKY  
GENERAL ASSEMBLY TO PREVENT  
DISCRIMINATION IN EMPLOYMENT  
KRS CHAPTER 344  
EFFECTIVE JUNE 16, 1972

The contract on this project, in accordance with KRS Chapter 344, provides that during the performance of this contract, the contractor agrees as follows:

1. The contractor shall not fail or refuse to hire, or shall not discharge any individual, or otherwise discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy). The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, disability or age (between forty and seventy), except that such notice or advertisement may indicate a preference, limitation, or specification based on religion, or national origin when religion, or national origin is a bona fide occupational qualification for employment.

3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual because of his race, color, religion, national origin, sex, disability or age (between forty and seventy), in admission to, or employment in

any program established to provide apprenticeship or other training.

4. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

III. PAYMENT OF PREDETERMINED  
MINIMUM WAGES

1. These special provisions are supplemented elsewhere in the contract by special provisions which set forth certain predetermined minimum wage rates. The contractor shall pay not less than those rates.

2. The minimum wage determination schedule shall be posted by the contractor, in a manner prescribed by the Department of Highways, at the site of the work in prominent places where it can be easily seen by the workers.

IV. STATEMENTS AND PAYROLLS

1. All contractors and subcontractors affected by the terms of KRS 337.505 to 337.550 shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of one (1) year from the date of completion of this contract.

2. The payroll records shall contain the name, address and social security number of each employee, his correct classification, rate of pay, daily and weekly number of hours worked, itemized deductions made and actual wages paid.

3. The contractor shall make his daily records available at the project site for inspection by the State Department of Highways contracting office or his authorized representative.

Periodic investigations shall be conducted as required to assure compliance with the labor provisions of the contract. Interrogation of employees and officials of the contractor shall be permitted during working hours.

Aggrieved workers, Highway Managers, Assistant District Engineers, Resident Engineers and Project Engineers shall report all complaints and violations to the Division of Contract Procurement.

The contractor shall be notified in writing of apparent violations. The contractor may correct the reported violations and notify the Department of Highways of the action taken or may request an informal hearing. The request for hearing shall be in writing within ten (10) days after receipt of the notice of the reported violation. The contractor may submit records and information which will aid in determining the true facts relating to the reported violations.

Any person or organization aggrieved by the action taken or the findings established as a result of an informal hearing by the Division of Contract Procurement may request a formal hearing.



4. The wages of labor shall be paid in legal tender of the United States, except that this condition will be considered satisfied if payment is made by a negotiable check, on a solvent bank, which may be cashed readily by the employee in the local community for the full amount, without discount or collection charges of any kind. Where checks are used for payments, the contractor shall make all necessary arrangements for them to be cashed and shall give information regarding such arrangements.

5. No fee of any kind shall be asked or accepted by the contractor or any of his agents from any person as a condition of employment on the project.

6. No laborers shall be charged for any tools used in performing their respective duties except for reasonably avoidable loss or damage thereto.

7. Every employee on the work covered by this contract shall be permitted to lodge, board, and trade where and with whom he elects and neither the contractor nor his agents, nor his employees shall directly or indirectly require as a condition of employment that an employee shall lodge, board or trade at a particular place or with a particular person.

8. Every employee on the project covered by this contract shall be an employee of either the prime contractor or an approved subcontractor.

9. No charge shall be made for any transportation furnished by the contractor or his agents to any person employed on the work.

10. No individual shall be employed as a laborer or mechanic on this contract except on a wage basis, but this shall not be construed to prohibit the rental of teams, trucks or other equipment from individuals.

No Covered employee may be employed on the work except in accordance with the classification set forth in the schedule mentioned above; provided, however, that in the event additional classifications are required, application shall be made by the contractor to the Department of Highways and (1) the Department shall request appropriate classifications and rates from the proper agency, or (2) if there is urgent need for additional classification to avoid undue delay in the work, the contractor may employ such workmen at rates deemed comparable to rates established for similar classifications provided he has made written application through the Department of Highways, addressed to the proper agency, for the supplemental rates. The contractor shall retroactively adjust, upon receipt of the supplemental rates schedule, the wages of any employee paid less than the established rate and may adjust the wages of any employee overpaid.

11. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any work-week in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such work-week unless such laborer or mechanic receives compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such work-week. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. This agreement shall be in writing and shall be executed prior to the employee working in excess of eight (8) hours, but not more than ten (10) hours, in any one (1) calendar day.

12. Payments to the contractor may be suspended or withheld due to failure of the contractor to pay any laborer or mechanic employed or working on the site of the work, all or part of the wages required under the terms of the contract. The Department may suspend or withhold payments only after the contractor has been given written notice of the alleged violation and the contractor has failed to comply with the wage determination of the Department of Highways.

13. Contractors and subcontractors shall comply with the sections of Kentucky Revised Statutes, Chapter 337 relating to contracts for Public Works.

Revised 2-16-95

## EXECUTIVE BRANCH CODE OF ETHICS

In the 1992 regular legislative session, the General Assembly passed and Governor Brereton Jones signed Senate Bill 63 (codified as KRS 11A), the Executive Branch Code of Ethics, which states, in part:

KRS 11A.040 (6) provides:

No present or former public servant shall, within six (6) months of following termination of his office or employment, accept employment, compensation or other economic benefit from any person or business that contracts or does business with the state in matters in which he was directly involved during his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved in state government. This subsection shall not prohibit the performance of ministerial functions, including, but not limited to, filing tax returns, filing applications for permits or licenses, or filing incorporation papers.

KRS 11A.040 (8) states:

A former public servant shall not represent a person in a matter before a state agency in which the former public servant was directly involved, for a period of one (1) year after the latter of:

- a) The date of leaving office or termination of employment; or
- b) The date the term of office expires to which the public servant was elected.

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not as a way to obtain private benefits.

If you have worked for the executive branch of state government within the past six months, you may be subject to the law's prohibitions. The law's applicability may be different if you hold elected office or are contemplating representation of another before a state agency.

Also, if you are affiliated with a firm which does business with the state and which employs former state executive-branch employees, you should be aware that the law may apply to them.

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, Room 136, Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601; telephone (502) 564-7954.

PART IV

INSURANCE

The Contractor shall carry the following insurance in addition to the insurance required by law:

- (1) Contractor's Public Liability Insurance not less than \$100,000.00 for damages arising out of bodily injuries to or death to one person. Not less than \$300,000.00 for damages arising out of bodily injuries to or death to two or more persons.
- (2) Contractor's Property Damages Liability Insurance. Not less than \$100,000.00 for all damages arising out of injury or destruction of property in any one accident. Not less than \$300,000.00 for all damages during the policy period.
- (3) Contractor's Protective Public Liability and Property Damage Insurance. The contractor shall furnish evidence with respect to operations performed for him by subcontractors that he carries in his own behalf for the above stipulated amounts.
- (4) The insurance required above must be evidenced by a Certificate of Insurance and this Certificate of Insurance must contain one of the following statements:
  - a. "policy contains no deductible clauses."
  - b. "policy contains a \_\_\_\_\_ deductible property  
(amount)  
damage clause but company will pay claim and collect  
the deductible from the insured."
- (5) WORKMEN'S COMPENSATION INSURANCE. The contractor shall furnish evidence of coverage of all his employees or give evidence of self-insurance by submitting a copy of a certificate issued by the Workmen's Compensation Board.

PART V

STATEMENT OF INCOMPLETED WORK

1. Status of Active Prime Contracts.

Attached

# 1. STATUS OF ALL INCOMPLETED PRIME CONTRACTS

All active prime contracts must be reported. This includes prime contracts with public and private owners and joint-ventured contracts. The names of the joint venturers must be shown when reporting these projects. A machine or typed listing reporting the status of each contract is acceptable when attached to this report; however, the total amounts on the itemized listing must be reported in the space provided below:

CONTRACT WITH	PROJECT IDENTIFICATION	PRIME CONTRACT AMOUNT	EARNINGS THROUGH LAST APPROVED ESTIMATE	TOTAL AMOUNT OF WORK REMAINING
TOTAL (Attach Summary if not itemized above)		\$	\$	\$

PART VI

BID ITEMS

THE QUANTITY SHEET(S) REPRESENTS THE ESTIMATED QUANTITIES (ONLY) FOR THE SUBJECT PROJECT.  
PROPOSAL(S) MAY NOT BE AVAILABLE WHEN THE QUANTITIES ARE POSTED.  
YOUR BID **WILL NOT** BE CONSIDERED IF THESE SHEET(S) ARE MADE A PART OF THE BID PROPOSAL  
WHICH YOU SUBMIT TO THE KENTUCKY DEPARTMENT OF HIGHWAYS.

TRANSPORTATION CABINET

Department of Highways

FRANKFORT, KY 40622

Sheet No: 1

PCN: 02-0731

Letting: 12/13/2002

ADAIR COUNTY

FD39 001 7415

Item No.	Code No.	Item	Approximate Quantity	Unit	Unit Price Dollars	Amount Dollars
		BRIDGE AND CULVERT QUANTITIES				
1	8002	STRUCTURE EXCAV-SOLID ROCK	15.00	CU YD		
2	8100	CONCRETE-CLASS A	148.20	CU YD		
3	8151	STEEL REINF-EPOXY COATED	5,521.00	LB		
4	8150	STEEL REINFORCEMENT	11,110.00	LB		
5	8004	STONE MASONRY VENEER	342.00	SQ FT		
6	8256	HANDRAIL, METAL	14.00	LIN FT		
7	3299	ARMORED EDGE FOR CONCRETE	46.10	LIN FT		
8	8003	FOUNDATION PREPARATION	1.00	LP SUM		
		ROADWAY QUANTITIES				
9	1812	REMOVING CURB AND GUTTER	120.00	LIN FT		
10	1821	LIP CURB AND GUTTER MODIFIED	20.00	LIN FT		
11	2650	MAINTAIN AND CONTROL TRAFFIC	1.00	LP SUM		
12	2701	TEMPORARY SILT FENCE	200.00	LIN FT		
13	2709	CLEAN TEMPORARY SILT FENCE	200.00	LIN FT		
14	2720	SIDEWALK-4 INCH CONCRETE	6.00	SQ YD		
15	2721	REMOVING CONCRETE SIDEWALK	12.00	SQ YD		
16	2726	STAKING	1.00	LP SUM		
17	2562	SIGNS	143.10	SQ FT		
18	2731	REMOVING EXISTING STRUCTURE	1.00	LP SUM		
19	1011	NON-PERFORATED PIPE-6 INCH	124.00	LIN FT		
20	2014	BARRICADE-TYPE III	2.00	EACH		

THE QUANTITY SHEET(S) REPRESENTS THE ESTIMATED QUANTITIES (ONLY) FOR THE SUBJECT PROJECT.  
PROPOSAL(S) MAY NOT BE AVAILABLE WHEN THE QUANTITIES ARE POSTED.  
YOUR BID **WILL NOT** BE CONSIDERED IF THESE SHEET(S) ARE MADE A PART OF THE BID PROPOSAL  
WHICH YOU SUBMIT TO THE KENTUCKY DEPARTMENT OF HIGHWAYS.

TRANSPORTATION CABINET

Department of Highways

FRANKFORT, KY 40622

Sheet No: 2

PCN: 02-0731

Letting: 12/13/2002

ADAIR COUNTY

FD39 001 7415

Item No.	Code No.	Item	Approximate Quantity	Unit	Unit Price Dollars	Amount Dollars
21	2226	EARTHWORK	1.00	LP SUM		
22	5985	SEEDING AND PROTECTION	130.00	SQ YD		
23	0309	CL2 ASPH SURF 0.50D PG64-22	12.00	TON		
24	0001	D G A BASE	41.00	TON		
25	0221	CL2 ASPH BASE 0.75D PG64-22	70.00	TON		
26	2569	DEMOBILIZATION	1.00	LP SUM		
27		TOTAL BID			\$	.

NON-BIDDING  
SHEET



PART VII

CERTIFICATIONS

- |    |                                               |          |
|----|-----------------------------------------------|----------|
| 1. | Provisions Relative to Senate Bill 258 (1994) | Attached |
| 2. | Non-Collusion Certification                   | Attached |
| 3. | Certification of Bid Proposal                 | Attached |

PROVISIONS RELATIVE TO SENATE BILL 258 (1994)

During the performance of the contract, the contractor agrees to comply with applicable provisions of:

1. KRS 136 Corporation and Utility Taxes
2. KRS 139 Sale and Use Taxes
3. KRS 141 Income Taxes
4. KRS 337 Wages and Hours
5. KRS 338 Occupational Safety and Health of Employees
6. KRS 341 Unemployment Compensation
7. KRS 342 Workers Compensation

Any final determinations of a violation by the contractor within the previous five (5) years pursuant to the applicable statutes above are revealed as follows:

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NON-COLLUSION CERTIFICATION

COMMONWEALTH OF KENTUCKY  
COUNTY \_\_\_\_\_  
PROJECT NO. \_\_\_\_\_

I, \_\_\_\_\_, \_\_\_\_\_, under  
(Name of officer signing certification) (Title)

penalty of perjury under the laws of the United States, do hereby certify that

\_\_\_\_\_  
(Insert name of Individual, Joint Venture, Co-partnership, or Corporation submitting bid)  
its agent, officers or employees have not directly or indirectly entered into any  
agreement, participated in any collusion, or otherwise taken action in restraint of free  
competitive bidding in connection with this proposal.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

REVISED: 8-23-89

NON-COLLUSION CERTIFICATION

COMMONWEALTH OF KENTUCKY  
COUNTY \_\_\_\_\_  
PROJECT NO. \_\_\_\_\_

I, \_\_\_\_\_, \_\_\_\_\_, under  
(Name of officer signing certification) (Title)

penalty or perjury under the laws of the United States, do hereby certify that

\_\_\_\_\_  
(Insert name of Individual, Joint Venture, Co-partnership, or Corporation submitting bid)  
its agent, officers or employees have not directly or indirectly entered into any  
agreement, participated in any collusion, or otherwise taken action in restraint of free  
competitive bidding in connection with this proposal.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

REVISED: 8-23-89

CERTIFICATION OF BID PROPOSAL

We (I) propose to furnish all labor, equipment and materials necessary to construct and/or improve the subject project in accordance with the plans, the Transportation Cabinet's Standard Specifications for Road and Bridge Construction, current edition, special provisions, notes applicable to the project as indicated herein and all addenda issued on this project subsequent to purchase of proposal.

We (I) attach a bid proposal guaranty as provided in the special provisions in an amount not less than 5% of the total bid. We agree to execute a contract in accordance with this bid proposal within 15 calendar days after the receipt of the notice of award for the project.

We (I) have examined the site of proposed work, project plans, specifications, special provisions, and notes applicable to the project referred to herein. We understand that the quantities shown herein are estimated quantities subject to increase or decrease as provided in the specifications.

\_\_\_\_\_  
Name of Contracting Firm

BY: \_\_\_\_\_  
Authorized Agent Title

\_\_\_\_\_  
Address City State Zip Code

\_\_\_\_\_  
Telephone Number

When two or more organizations bid as a joint venture, enter names of each organization and an authorized agent for each organization must sign above.